T. 0833

56

Hold until we hear from London on same subject - we may then wish to send copies both to Mr Kasson.

2.167468 U.S.

file

Ack'd Feb 11/82

D M Clan

Copy to Mr Kasson, with No. 168 - from Liverpool. 1st abs. '82

No. 1099. U. S. Consulate General [illegible]

Havana, February 3d. 1882.

RECEIVED FEB 9 1882 DEPARTMENT OF STATE

Mr Williams, to the Department of State.

The fruit trade between the United States and the Island of Cuba, in Spanish or in American vessels.

Acknowledging the receipt of the Department's instruction No 634 of 24th January, ultimo in reference to the subject above mentioned.

[redacted]

No 1099. U.S. Consulate General.

Havana, February 3rd 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I have the honor to acknowl=
=edge receipt of your instruction
No 634 of 24th ultimo, relating
to the publication presented
to the attention of the De=
=partment by the Honorable
John A. Kasson, and asking
for information, as I construe
it, as to the correctness of
that part of the statement
saying, "Yet our fruit traders
find there is a serious loss
in

in running an American
vessel to Havana, but a gain
in employing a Spanish vessel.

In answering this instruction,
I beg respectfully to point out
to the Department that
the assertion of the fruit
dealers, that they find better
results in employing Spanish
over American vessels is un-
=accompanied by any data as
serving as premises to their
conclusion. If they had given
the facts upon which their
proposition is founded, then
its correctness could have been
better ascertained.

I must, however, say
that their assertion appears

contrary

contrary to all observation on
this side: indeed I doubt
if a Spanish vessel has ever
been employed in carrying
fruit from Havana to the
United States within the
present generation, the trade
being confined to vessels of
the United States principally,
and partly to foreign vessels,
other than those flying the
Spanish flag, the latter being
practically excluded by the
operation of the Retaliatory
duties of the United States,
enacted in 1834, during the
administration of President
Jackson, as an offset to the
Differential duties that Spain

imposes

imposes on American mer-
-chandise imported into this
Island in American bottoms.

Another effect of this
Tariff war between Spain and
the United States, is to exclude
Spanish vessels from loading
all other products of Cuba,
such as sugar, molasses and
tobacco and of carrying them
to the United States.

I am, Sir, very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General

Ack'd Feb. 4/82 Dft. Blair

No 1100. U.S. Consulate General

Habana, February 3d 1882.

DEPARTMENT OF STATE
FEB 9 1882
RECEIVED

Mr Williams, to the

Department of State.

Acknowledging the receipt of instructions numbers 635 and 636, of 26th and 27th ult°, the former transmitting the official passport of the writer.

No. 1100. U.S. Consulate General

Havana. February 3. 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I have to acknowledge the receipt of your instructions Nos: 635 and 636 of 26th and 27th of January ultimo, which have my careful attention. The passport accompanying the former has been duly received, for which please accept my thanks.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

R. O. Williams

Vice Consul General.

V. Original Enclosure with copy of despatch + translation to Treasy -

W.H. Clark

Copies with enclosure to Treas Dept Feb. 13/82
Ask B
Feb. 11/82

No 1101. U.S. Consulate General

Havana, February 4th 1882.

DEPARTMENT OF ST
FEB
9
1882
RECEIVED

Mr Williams, to the

Department of State.

Loss of the American bark "Rachel," of Portland, Maine.

The Bark "Rachel" ran aground, on the 28th December 1881, on a coral reef outside of "Cayo Aralos, Jardinillos", on the South side of Cuba, and after her master, assisted by the crew, had done all possible to save both cargo and vessel, was wrecked at said place on the 26th January, ult°. when in consequence she was abandoned and the master and crew came to Havana and reported to this Consulate General

One inclosure.

No 1101. Consulate General of the
United States.
Havana, February 1st 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

I have the honor to transmit herewith a copy of an official communication received from the Commandant of Marine, Captain of this port, with translation annexed, dated 30th ultimo, reporting the loss of the American Bark "Rachel" of Portland Me. J. W. Walls, master, on the coral reefs of "Cayo Avalos, Jardinillos," on the South coast of this Island, 86 miles to the south of Batabanó, the 26th day of January ultimo.

The master and crew of said vessel arrived here by rail from Batabanó on Sunday the 29th ultimo and presented themselves

at

at this Consulate General on Monday the 30th, ultimo, whereupon the master extended his Protest, noted previously by him the 7th of January ultimo, before me.

The usual board and lodging has been provided for the crew while here and after having been paid the wages due by the master passage was furnished them to the United States.

The said vessel's register having been canceled at this office one half of same is this day forwarded to the Register of the Treasury, at Washington, in compliance with Consular Regulations

I am, Sir,

very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General

Inclosure

1. Copy and translation of communication from the Captain of the Port of Havana dated January 30th. 1882.

Inclosure N° 1
With Dispatch N° 1101
Habana, February 4th 1882.
Translation.

Commandancy of Marine
and Captaincy of the port
of Habana.

The Adjutant of
Marine of the District of
Batabano, in an official commu=
=nication dated 28th instant
reports to me the following:

"Excellency:

I have to report
the arrival here this afternoon,
per Spanish coasting schooner
"Elva", of the Captain and nine
seamen late the crew of the
American Bark "Rachel" which
ship ran aground on "Cayo
Avalo", one of the reefs of the
"Jardinillos", the 30th of December
ultimo, with a cargo of guano
bound to New York as stated

by the Captain to the Administra
-tor of the Company, engaged in
extracting guano at said "Cayo
Avalo", Messrs Ferran and Com=
=pany and that said vessel having
suffered serious damage to her hull
they had to discharge the greater
part of her cargo on said reefs
not being able to discharge the
remainder, it not being possible
to free her of water and the
vessel sunk at that place, her
wreck having been communicated
to and taken charge of by the
Consul of her nation and the
Insurance Company of New
York.

"The said Captain and
crew, now go to Havana by rail
road, which I have the honor
to communicate to Y.E for the
purposes which may be found
necessary."

Which I transcribe to
Y.E for your information.

X

Habana, 30th January 1882.

Alejandro Arias Salgado.

To the Consul General of the United States at this port.

Copy. Comandancia de Marina
y Capitania
del Puerto de la Habana.

El Sõr Ayudante de Marina del Distrito de Batabanó en oficio fecha 28 del actual me dice lo siguiente.

"Exmo Sõr: En la tarde de hoy han llegado á este surgidero en la Goleta costero Nacional "Elva" el Capitan y nueve tripulantes de la Barca Americana "Rachel" cuyo bugue varó al salir de "Cayo Avalo" en los Jardinillos, el 30 de Diciembre ultimo, con cargamento de guano, con destino á Nueva York, segun manifestó su Capitan y el Administrador de la Empresa de estraccion de guano en dicho Cayo Avalo de los Sres Ferran y Compania y que habiendo sufrido dicho bugue averias

de

de gran consideracion en sus fondos tuvieron que desembarcar la mayor parte de la carga para dicho cayo, no pudiendo verificarlo con el resto, por no serles posible estancarla de agua, yendose á pique en aquel punto, en cuyo naufragio entiende el Consul de su nacion y la casa de Seguros de Nueva York. El mencionado capitan y tripulantes siguen viaje en el Ferro-Carril para esa Capital. Lo que tengo el honor de comunicar á V.E. á los efectos que puedan ser proce-dentes."

Lo que traslado á VS para su conocimiento.

Dios gue á VS m.s a.s.

Habana 30 de Enero de 1882.

Alejandro Arias Salgado

Sor Consul General de los Estados Unidos en esta Plaza.

Very interesting — Mr Scanlan

Acknd Sept. 24/82 D. H. Clair

No. 102. U. S. Consulate General.

Habana, February 6th 1882.

DEPARTMENT OF STATE
FEB
15
1882
RECEIVED

Mr Williams, to the

Department of State.

The Cuban Customs Tariff.

Acknowledging the receipt of the Department's Circular of December 1st, 1881. instructing consular officers to obtain and transmit to that office a copy of the Tariff Laws and Rates of Duty by articles and numbers.

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4 Inclosures.

No 1102. U.S. Consulate General.

Havana, February 6th 1882

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington

Sir:

I now have the honor to acknowledge receipt, on the 28th December last, of the Department's circular dated December 1st 1881, addressed to the Consular officers of the United States, requesting them to obtain and transmit to the Department a copy of the Tariff Laws, by articles and translation of same, existing at present in the countries

countries of their residence.

In complying now with this request, I beg to state that the delay attending this answer, is due to the great difficulty encountered in finding a translated copy of the Spanish tariff imposed in Cuba, giving the rates of duties by articles as desired, and the one herewith annexed, obtained after a prolonged search, is in all probability the last and only copy obtainable in this city.

This Consulate General in the course of its communication with the Department has already on several occasions adverted to and commented

this

this tariff, and for your inform-
=ation and more convenient
reference, I beg to adjoin copies
of my dispatches N° 724 of
August 8th. 1878, N° 733 of Sept 21/4
=ember 12th 1878, and that of Mr
Hall N° 782 dated February 19th
1879.

As a guide and aid to
the Department in ascertaining
the manner in which this tariff
works for the partial protection
of Spanish production and
shipping in the importing
trade of the Island, I will
now add the following calcu:
=lations showing the amount
of partial protection, in given
cases, that this tariff dispenses

in favor of Spanish interests.

1st. On page 1. of this tariff, left hand column, and under the words "classification of items" will be found the number "20", to the right of which is placed the article "Jerked Beef" - continuing the sight on the same line, to the column on the right hand-side, headed.

"Foreign Production."

"Spanish flag" | "Foreign flag."

will be found the rates of duties on jerked beef, a foreign production, because coming from Buenos Aires, in South America, when imported in Spanish and foreign bottoms.

On

On the article imported in Spanish bottoms the duty is 2 1/10 cents per kilogram. And on the same article imported in foreign bottoms the duty is 2 4/5 cents per kilogram.

Therefore, the import duties on a cargo of Jerked Beef from Buenos Aires to Cuba of say 500,000 kilograms, approximately 550. tons, in foreign bottom at 2 4/5 cents per kilogram will amount to _____ #14000.-

Additional war tax 25% _ 3500.-

#17,500.-

The import duties on the same cargo of foreign jerked beef, when brought in a Spanish bottom will be: over #14.500.-

$17,500.-

be, on 500,000 kilograms at 2½0

cents per kilogram $10,500.-

additional war tax

25 per cent. ——— " 2625.- " 13,125.-

Amount of discrimina-

tion in favor of Spanish

vessel, on this voyage from

Buenos Aires to Cuba. = $4,375.-

2nd ——— On page nº2 of this tariff,

in similar order to the preceding

example, under "classification

of items" the nº37 corresponding

to "foreign rice", the duty will be

found to be 3 3/20 cents, per kilo-

=gram, when imported in Spanish

bottoms, and 4 1/5 cents when in

foreign bottoms.

Therefore, the import

duties in Cuba on a cargo of

foreign

foreign rice, say South Carolina Georgia or the East Indies, as brought in foreign bottoms, say, 500,000 kilograms at 4/5 cents per kilogram = $21,000.-

Additional war tax 25%. = 5250.-

$26,250.-

The import duties on the same foreign rice imported into Cuba in Spanish bottom would be say, 500.000 kilograms at 3.3/20 per kilogram $15.750.-

Add'l. war tax 25%. 3.937.50 $19.687.50

Amount of differential duty in favor of Spanish flag. $ 6.562.50

3d. On page 8 of the same tariff and in the similar order

order of statement will be found, on the left hand side, under 'classification of items', the N°379 corresponding to the articles, such as cotton textures, calicoes, nankeens &c., on which the duty levied when of Spanish manufacture and transported in a Spanish bottom is 5 1/20 per kilogram, and of foreign manufacture and imported in foreign bottom is 20 cents per kilogram.

Therefore, a cargo of this description of goods of American or other foreign manufacture, imported in an American or other foreign bottom would pay duty on 500,000. kilograms

of

of American calicoes &c at 20 cents
per kilogram _____ $100.000.-
additional war tax 25%. " 25.000.-
$125.000

But on a similar cargo im-
=ported from Spain, in Spanish
bottom, the duties would be
say on 500,000 kilograms
calicoes, &c, at 5 3/20 cents per
kilogram _____ $28,250.
war tax 25 per cent, " 7,062.50 $35,312.50
Difference in favor of the
Spanish manufacturer,
when imported in Spanish
bottom. _____ $89687.50

4th _____ Duties on a similar
cargo of foreign manufacture,
from Lowell, in the United
States, or Manchester in
England.

England, when imported in
Spanish bottom, would be say
on - 500,000 - at 15 cents per kilo =
= gram. ——————————— #75,000.-
war tax @ 5 per cent " 18.750.-
#93750

The same cargo as per
example 3, imported in an
American or other foreign
vessel from Boston, United
States, or London England,
would pay duties #125.000.-
But, when imported
from Boston or London
in Spanish bottom
would pay " 93,750.
Difference to favor Spanish #31.250
vessel.

The object of these
differential

differential duties is to protect Spanish productions and Spanish shipping, over similar interests of foreign nations; it requires, however but very little analysis to show up the defectiveness of this system.

Protection in its economical sense is sound when beneficially reciprocal between production and consumption, and vice versa, as practiced in the United States; and in truth, it there constitutes the greatest free trade system in the world, there being no intercepting Custom House, between the frontiers bordering on the confines of the British American provinces, on the North, and

Mexico

Mexico on the South; now on between the Atlantic Ocean on the East and the Pacific on the West.

In this area of territory all the Europeean nations together with their Custom Houses, are at present easily contained. And, if viewed prospectively, say 50 or 100 years hence the comparison will still be more favorable to the United States.

Some people might raise the objection that it is not a fair comparison; because the United States, constitute but one nation, while Europe is divided into many. But the objection in this case would not.

rest on ethnological and not on commercial grounds.

When England and France, first established their sugar plantations in the West Indies, about the year 1625, they both introduced the system of reciprocal protection in their colonies. England obliged Barbadoes, St Kitts, and after the capture of Jamaica in 1655 by the expedition fitted out by Cromwell, under Admiral Penn, and General Venable, to buy in England or the North American colonies, but in return granted them the exclusive right to sell their sugars, rum and molasses in England and

the

the then nacent colonies of North America.

So did France oblige the new settlers of her part of Santo Domingo, and of the islands of Guadalupe and Martinique to buy in France; but in reciproc-ation her colonists met with no competition from foreign rivals in the market of the mother country, which franchise was also extended later on to the colonies of Canada and Louisiana.

In view of the paucity of population in America at that time, this arrangement was certainly the most equitable betweeen the respective mothers countries and colonies that could.

could be made.

But the system introduced by Spain in the Island of Cuba, and Puerto Rico, after the latter became sugar producing countries, upon the destruction of the sugar plantations of French Santo Domingo in 1793, is quite different. Spain granted to these two Islands the right to sell freely to foreigners but not to buy freely from them, and to effect this object enacted her system of differential duties. Spain not consuming colonial products, but to a very meagre degree, was unable to furnish a market for the sugar, rum and molasses

of

of her colonies. Therefore, they have always had to depend on foreign nations for markets in which to sell their products.

This system, consequently, was not one of "Reciprocal Protection", favoring alike both producer and consumer within National limits, but one that may rightly be termed "Partial Protection", favoring the producers, and shipping interests of Spain, at the expense of her colonial consumers; the balance wanting on the part of the latter, or Cuban side of the equation, correlating directly in favor of their sugar producing rivals.

As a practical illustration of

of the working of "Reciprocal Protection" versus Partial Protection" I append the following calculation showing the exchangeable value or purchasing power of 100 pounds of Louisiana sugar contrasted with 100 pounds of Cuban sugar.

Cuba sells in Havana good refining sugar, on the average, at $3.50 per 100 lbs and buys flour at $8 per 100 lbs. Therefore, to obtain from her sugar sufficient value to buy 100 lbs of flour, she must submit to the following arithmetical process.

Dollars	Lbs of sugar	Dollars.
$3 50/100	: 100 ::	$8 : x

x – the unknown quantity.

∴ x = 228 57/ pounds of Cuban sugar required to buy in exchange 100 pounds of flour.

Louisiana sells in New Orleans, 100 pounds of good refining moscorado sugar on the average at #7. per 100 pounds, and buys 100 pounds of flour for #3.– Therefore, she must obtain from her sugar a value sufficient to buy 100 pounds of flour. And for it, the calculation will assume this form.

Dollars.	Lbs of sugar	Dollars.
#7.	100	#3. x

∴, the unknown quantity.

∴ x = 42 85/ pounds of Louisiana sugar required to buy in exchange

100.

Copy

No. 238. Consulate General of the United States, Havana, August 17th 1883.

To the Honorable

John Davis,

Assistant Secretary of State,

Washington, D. C.

Sir,

By oversight of the copyist and which was discovered too late for amendment, an omission was made in my despatch No. 1102, of February 6th 1882, and which I now beg you to have the goodness to remedy by ordering the insertion on page 20, after line 10. of the following paragraph.

"Conversely, Louisiana returns to the "rest of the Union every dollar she derives "through the protection granted to her sugar "interests. This she does through the pur- "chase of food stuffs, lumber, coals, iron, "machinery, locomotives, hardware, dry-goods

"dry goods, land and sea freights and
"in many other ways too numerous to
mention".

I have the honor to be, Sir,

very respectfully.

Your obedient servant.

R. A. Williams,

Vice Consul General.

100 pounds of flour.

Deducting the one amount from the other: say -

Cuba pays _____ 228.57

lbs of sugar for 100 lbs of flour.

Louisiana pays. _____ 42.87

lbs of sugar for 100 lbs of flour. _____

Difference _____ 185.70

Lbs. in favor of Louisiana or say

533+ per cent against Cuba.

These comparisons might be continued through the whole catalogue of articles of consumption, with the same or similar results in favor of Reciprocal Protection as practiced in the United States, *versus* "Partial Protection" as practised between Spain

and her colonies, but as a sample, one calculation will suffice.

There are a good many other considerations both of an economical and political character that might be presented to the attention of the Department in connexion with this subject, but this dispatch would seem to be already quite as comprehensive as the meaning of the circular would contemplate.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

R. O. Williams

Vice Consul General.

Inclosure

Inclosures.

1 – Printed copy in English of the Cuban Tariffs.

2 – Mr Williams to the Depart=ment August 8th 1878.

3 – Same to the same, September 12th 1878.

4. – Mr Hall to the Department February 19th 1879.

Inclosure Nº 2
With Dispatch Nº 1102
Havana, February 6th 1882
Copy.

Nº 7214. U.S. Consulate General
Havana August 8th 1878.

Mr Williams, to the
Department of State.

Transmitting a copy and translation of the political platform of the Liberal Party of the Island of Cuba, — published in "El Triunfo" of Havana of 6th August 1878 and referring particularly:
First: — To the Differential duties ruling in this Island.
Second. — Reciprocity Treaty with the United States:
Third. — Cuba's Export trade with Spain. —
One inclosure.

Copy. — U.S. Consulate General
Nº 724. Habana, August 8th 1878.

Hon F.W. Seward,
Assistant Secretary of State,
Washington

Sir:

On the night of the 3d instant there was held in this city a numerously attended meeting, presided over by Mr Galbis, the Political Secretary of the Government of this Island, composed of what is called the liberal party. — This event is memorable, as being, perhaps the first of the kind in which the people of Cuba have been permitted freely to assemble for political discussion, and for the open, unstammelled consideration of their public affairs.

After a somewhat lengthy, orderly and luminous

discussion

discussion, a platform was read and adopted, printed copy of which extracted from the party organ "El Triunfo", I now have the honor to transmit with the following remarks, that I have thought pertinent to those parts of the platform, viz: those relating to the Differential Duties ruling in this island a proposed Reciprocity Treaty with the United States and the enlargement of Cuba's export trade with Spain.

The following example in domestic economy, will illustrate in some degree, the mode in which these Differential Duties are, in the wider operations of Political Economy, eating, cancer like into the very vitals of the material prosperity of this island, as likewise that of Spain, that of the latter being mostly an effect of the former.

former.

Let it be supposed that the laborers A. and B are compelled to go into the labor market to sell their services:. They each gain for instance #1. per day and with these earn=ings they buy the supplies of themselves and families.

The law governing A compels him to buy his bread from a certain baker, and in the same way his meat, groceries, shoes and clothes, from a designated butcher, grocer, shoemaker and tailor, to each of whom he has to pay say 30 per cent higher for his supplies than the laborer B, because the latter has the right to buy wherever he can get his supplies cheapest. Now, it is clear in this case, that though both laborers gain the same wages this Differential taxation reduces.

reduces the exchangeable value of a days labor of A to 70 cents, when compared with the days labor of B, which is worth to him $1. in the purchase of supplies.

Further, and what probably is a still more important effect for the purposes of this analysis, is, that B. possesses a competitive advantage of 30 per cent in the labor market over the laborer A.

Now, the same simile holding good when treating of the selling and buying power of a nation, it follows that the exports of Cuba bear the same relation to its economic being, as the wages of the laborer A, bear to his personal welfare and to that of his family.

Cuba has, from

the

the necessity of self preservation to send her exports, consisting mostly of sugars, molasses, tobacco and cigars to whatever market will pay her best.

She finds the best market for her products in the United States, where she sends about 90 per cent of her exports.

Now, with her exports out, she buys her imports in, in a similar manner as laborer A with his daily earning buys his supplies.

But, the law governing Cuba, subjects her Imports to the action of a Differential tariff, so constructed as to force her to buy to the furthest possible extent from a certain nation, and to employ for the purposes of transportation a designated shipping.

Accordingly Cuba

is

is pressed to purchase her flour, provisions, groceries, shoes, dry goods and all other articles of consumption in Spain, and to bring them in Spanish shipping, only buying from other countries, when these, despite the dis= =crimination, are able to sell to her cheaper than Spain.

Thus Cuba, like laborer A, suffers a great loss in the exchangeable value of her exports, although getting the same prices for them, when compared to the exports of other sugar producing countries, but who like laborer B, have the right to buy wherever they can get the cheapest.

In this arrangement we probably find the most glaring example of economic fallacy existing in any country.

country doing an extensive foreign commerce, for just in proportion as Spain is "protected" at the expense of Cuba, it being an unre= =ciprocated protection, the Exchangeable value of Cuba's Exports are thereby lessened, as in the case of the services of laborer A. She suffering a corresponding diminish= =ment in the amount of Imports purchaseable by her Exports - just upon the same principle that a given measure shortened at one end, is thereby as shortened at both ends.

Further to the extent of the harm done by the operation of these differential duties, so does the competetive power of the Beet Sugar of Europe, and the cane sugar of all other countries operate

against

against Cuba in the consu=
ming sugar markets of
the world, and to such a
potent degree has this
competition risen, through
the increase of sugars pro=
=duction, which at the same
time is gradually affording
the United States, through
other channels, that ~~~
reciprocity of trade, diverted
from them by the Differential
Tariff of Cuba; that Cuba's
sugars are now quite forced
out of the markets of Europe,
and she is helplessly reduced
to the sugar market of the
United States: notwithstand=
=ing the high import ~~
duties there on sugar, to
which Cuban planters
and high Spanish officials
point, believing that they
come out of the Cuban
producer, instead of the

American

American consumer. But, were such the fact, it is surprising that Cuba does not attempt to avoid their payment by the shipment of its sugars to Great Britain, where at present no import duties are levied on the article.

It is easy to perceive that the more necessity compels Cuba to gravitate to the United States for a market to sell in, and the more Spanish legislation, compels her, on the other hand to go to Spain as a market to buy in: so will her commercial status become abnormal and in like proportion must the effects, in time be as disastrous to Cuba and to Spain; for it is impossible for a house to stand, when so divided, that its commercial necessities, are in one direction,

and

and its political ties in another directly opposite

At this point it may not be irrelevant to remark that though Cuba was the first, in the order of the discovery of the large West India islands by Columbus, yet she is the very last, even comparatively recent, in the order of material develop=ment, and that due to factitious and accidental causes, more than to regular normal growth. Here, too, it needs but a slight stretch of the imagination to perceive the nullity and helplessness of both Cuba and Spain in America, indeed as helpless as a steam engine without a boiler; if, had the United States tropical territory wherein, through inter-State commerce

to

to raise its own sugar, as it today raises its own cereals, provisions, cotton, coals, iron, lumber etc. — In that case too, the world's attention would hardly be molested by the Cuban problem, its bottom facts revealing it to be simply a sugar question, invested with a political phase.

With the view of escaping in a measure the impending cataclysm, the small thinking portion of the inhabitants of this island, having become alarmed, are now urging the abolition of these Differential duties, and advocating in their stead only those of revenue.

The importance of a Reciprocity Treaty with the United States, to the

prosperity

prosperity of Cuba, is also urged by them and possibly too, not without the malicious hope that the institution of slavery, now again somewhat languishing here, from its decreased profitableness, would thereby be revived, in a manner similar to that produced by the law for the equalization of the sugar duties carried through the British Parliament by Lord John Russell in 1847 in opposition to the counsels of Sir Robert Peel, Lord Brougham, Mr Gladstone, and other British statesmen

The effect of that law was that British planters having to pay wages to their free laborers, could not compete with the Spanish West India planters, who only worked slave laborers, the latter having

an

an advantage over the former equivalent to their savings of wages; besides, also having them all Africa open to them for fresh supplies of laborers. Thus in the name of "Free Trade" the law of the British Parliament whilst fruitless to British commerce, was literally a protective measure, but "Protective" only in the sense of developing the African slave trade, through the extinction of free labor, as the subsequent movement of the successive British squadrons on the coast of Africa, the creation of the Slave and sugar Oligarchy of Cuba, and by the loss of a market for their labor, the obligatory squatting for a living of the British West India laborers - attest.

It is reported of

the

the Jamaica, Barbadoes and Demerara planters, that they derisively taunted the British Parliament, with having furnished at their expense, and that of human freedom, the cause for public jubilee and illuminations in Cuba and Puerto Rico.

With these antecedents in view, it is not difficult to foresee, that the granting by the United States of a Reciprocity Treaty to Cuba, while slavery exists in the Island, would only develop that institution anew and bring about similar results in Louisiana, to those produced in the British West India possessions by said Law of the British Parliament, for the equalization of the sugar duties; The sugar crops of Louisiana, besides the large

employment furnished at present by it to American capital, employs an immense number of American laborers and mechanics, on land for its production, and American ships and seamen for its transportation on the Ocean. It would also shut out of employment a large number of American operatives employed in the cigar factories in the United States, to favor the Havana manufacturers, who almost wholly employ their slaves and Chinese held under contract, in the manufacture of their cigars and this without equivalent.

Referring to that part of this platform relating to the removal of obstacles to the importation of Cuba's sugars in Spain, I would say its futility is manifest, when it

is

is remembered that European statisticians accredit Spain with an annual consumption of less than 30,000 tons of sugar, which is equal to about the one third of one month's consumption in the United States, when the amount of molasses is reduced to, and considered with sugar.

During the present year, upto date, Spain has taken less than 50,000 boxes of Cuban sugars, equal to about 10,000 tons and this not solely for her own consump=tion but with doubtful success, partly for distribution in the French and Italian ports of the Mediterranean and Adriatic seas.

Consequently, Cuba can hardly expect assistance from Spain in the approach=ing hours of her business-

distress

distress, when almost at the same moment the merchants, manufacturers, and ship - owners of Catalonia and Valencia are vehemently and indignantly protesting before the Madrid Govern= =ment, because it proposes to reduce the Differential duties of Puerto Rico to 7 1/2 per cent, loudly asserting that without Puerto Rico is submitted to a greater sacrifice, for their protection, they will not be able to live - and it is reported that the Government will yield to their clamors and irrational pretensions.

And the much mooted idea of establishing refineries in Spain, for the refining of Cuban and Puerto Rico sugars there, for the purpose of sale and distribution

in

in Europe, is no less quixotic and impracticable.

The beet root sugars of France, Germany, Austria, Hungary, Russia, Holland and Belgium, together with the cane sugars of Egypt, the East Indies and other countries have already displaced in Europe, the raw sugars of Cuba and Puerto Rico: and the standard of mechanical and manufacturing intelligence of Spain, being notoriously far below that of Great Britain and those other countries. this apart from the absence of the requisite capital. much less would Spain be able to compete with them, and to attempt it would only be an effort on her part to leave a lesser for a greater impossibility.

I have the honor to be,

most respectfully;

Your Obedient Servant-
(Signed) Ramon O. Williams
Vice Consul General

Inclosure
1. Slips and translation as above.

Inclosure N° 3
With Dispatch N° 1102
Havana, February 6th 1882.
Copy.

N° 733.

U. S. Consulate General.
Havana, Sept 12th 1878.

Mr Williams, to the
Department of State.

Transmitting copy and translation of two Decrees, of the General Government of this Island, published in the "Gaceta Oficial" of Havana, dated the 2nd and 5th instant, the first relating to the reformation of the present ruling tariff, and the second treating of the classification and funding of the public debt of Cuba.

One Inclosure.

copy.

Nº 733.— U.S. Consulate General
Havana, Sept^br 12^th 1878.

Hon F.W. Seward —
Assistant Secretary of State.
Washington. —

Sir:

I have the honor to trans=
=mit for the information of the
Department copies and trans=
=lations of two Decrees of the
Superior Government of this
Island, respectively dated the
2^nd and 5^th instants: the first
on the "Reform of the Tariff"
now ruling here, and the second
on the subject of the "classification
and funding of the Public Debt"
of Cuba.

Upon the first of these
subjects I beg to submit the
following remarks, as supple=
=mentary to those of my dispatch
Nº 724 of 8^th of August ultimo.

At a time not

/ av

far remote, when Cuba, owing to the temporary effects of factitious and accidental causes, made nearly 40 per cent of the sugar supply of the world, and when her market laid principally in Great Britain and other countries of Europe, where from motives of interest, no retaliatory duties were imposed on merchandise imported and exported in Spanish shipping; it was from this relatively dominating position, temporarily feasible for Spain to maintain in Cuba a differential tariff; but now, that her quota of that supply scarcely reaches 18 per cent, and Cuba's market to sell in having changed from Europe to be confined almost exclusively to that of the United States, where these differential duties are offset

by

by retaliatory duties, it has ceased to be longer beneficially practicable.

For some time past the action of this differential tariff has been re-active and destructive of the interest and welfare of Cuba - and it now only operates as a "protection", favoring the development of the sugar industry in all other countries, just to an extent - exactly correlative to the amount of exchangeable value it detracts from Cuba's Exports in their purchase of her Imports.

The Spanish Government is now in the dilemma of either continuing this differ = = ential tariff or of abolishing it.

If it chooses the first alternative, it will thereby, in a brief series of years, destroy not only the sugar industry

of

of the Island, but with it, as secondary effects, all the many interests that derive their moving power from that crops, such as the rail-roads, the coast-wise shipping, &c exporting merchants, Banks sugar warehouses, cooperage establishments, wharves, &c lighters and depriving of employment its brokers, clerks, mechanics laborers, stevedores &c - rendering also valueless to creditors its public debt.

The export basis of the Island, once dissipated, its import business, too, ceases, and then another train of large and small business establishments will simultaneously go out of existence, for the want of sugar, out of which staple flows their moving power.

Coincidently with the

the working out of this process, other countries are striving to occupy the position of Cuba as sugar purveyors to the United States.

If, however, Spain should act from a higher standard of thought, and with the wisdom and sense of responsibility that ought to be the rule of all governing powers, and abolish this tariff, thereby leaving Cuba with the right to buy where-
-ver she can do so the cheapest; then in that event the great bulk of Cuba's im-
imports must come from the United States; for the simple reason that she can thereby buy them cheapest, reaping besides a great saving of time because of the proximity of the United States, over bringing them

from

from Spain and other European countries.

As a proof of the capacity of the United States to furnish the imports of Cuba to the advantage of its population, we have the practical fact that the dry-goods merchants of this city, are at the present day importing American calicoes, from the United States via Liverpool, England, from whence they are brought in Spanish steamers to Havana, with the surcharge of commis=sion, freight, buckage and marine insurance consequent upon the roundabout way of importing, enforced by this differential tariff, instead of bringing them direct from New York or Boston.

And this only means that

that Cuba gets just so much less of imports in exchange for her exports - and that other sugar producing countries are literally "protected" by Spanish legislation just to that extent at the expense of Cuba.

But the relief of Cuba does not only demand a reform of the tariff; but indispensably, also, a much cheaper and more simple form of public administra=
=tion, than that hitherto practised; for the reason that, the supply of sugar has now grown so great in proportion to the demand, and Africa closed to the slave trade, that it cannot much longer serve here as the basis, for the luxury of an expensive Imperial government, any more than wheat could bear

it

it in the State of Illinois, or cotton in Mississippi; or coal and iron in Pennsylvania, or lumber in Maine.

In the latter instance, from the consequent enhanced cost of production of those States, they would, in the course of time, succomb to the surrounding rival States, enjoying cheaper and less complicated government, and producing the same staples, and Cuba must in time inevitably find herself in a similar predicament with respect to other sugar producing countries.

Further if labor is to become free here as is talked of in certain narrow circles, the planters would then have to pay wages to their hands. This would entail

the

the necessity for the simultaneous disbandment of all surplus military and naval forces, and unnecessary civil employ=
=ees, simply because the labor of the country cannot produce sufficient, in face of the competition it encounters from other sugar producing countries to stand the heavy burden of so much unproductive consumption.

Cuba in the event of the abolition of this tariff, ceasing to be the main basis of the Spanish commercial system, Spain fortunately for her, will find that an all-Wise Providence has been no less lavish with her, than with other nations in providing her with as natural resources, in variety of climate, fertility of soil, forestal and mineral products,

<u>water</u>

water-courses and good harbors, all plastically awaiting the attention and moulding power of the intelligence and labor of her inhabitants, to be converted into many times more wealth than could ever be developed by Spain in Cuba; and thus would she assume a position more in accord with Universal order and Universal harmony.

I have the honor to be, Sir,
with great respect.
Your Obedient Servant.
(signed) R. O. Williams.
Vice Consul General.

Inclosure.
1. — Copy and translation, as above.

4

Inclosure N°4
With Dispatch N°1102
Habana February 6th 1882

Copy.

N°. 782. U S. Consulate General
Havana, February 19th 1879.

Hon J W Seward.
Assistant Secretary of State
Washington.

Sir:

I have the honor to transmit herewith a copy and translation of a decree, of the Governor General of Cuba, appointing a commission to study and to formulate the bases for a treaty of commerce, for the Island of Cuba, with the United States, and another treaty of the same nature with Canada: these bases are to be submitted to the consideration of the Government of Spain.

Whatever may be the result of the labors of this Commission, all the advantages which Spain would probably derive from a liberal commercial treaty with

the

the United States, could be obtained by the abolition or discontinuance of the discriminating duties, she now enforces in Cuba, and by placing American vessels upon the same footing with Spanish vessels in the ports of the Island. All the practical advantages of such a treaty could in this way be reached without the delay which must unavoidably attend its negotiation.

The discriminating duties, which have existed in Cuba from time immemorial, were established, evidently, with the object of protecting Peninsular products in the markets of the Island and of giving its carrying trade to Spanish vessels to the exclusion of foreign vessels. The intention, as far as the United States are concerned, was to some extent counteracted by

by the Act of Congress of 30th June 1834, and by subsequent Acts imposing a discriminating duty of ten per cent upon merchandize imported from Cuba and Puerto Rico, in Spanish vessels.

Every tariff promulgated in Cuba during the past fifty years has classified imports, for the imposition of duties, c under the following heads:

1st. _____ Spanish productions imported in Spanish vessels.

2d. _____ The same imported in foreign vessels.

3d. _____ Foreign productions imported in Spanish vessels.

4th. _____ Foreign productions imported in foreign vessels.

The present tariff forms no exception; its applic-ation is shown in the following discriminating duties on wheat flour.

1st

1st. Spanish flour imported in Spanish vessels pay duty per barrel, ____ $2.25

2nd " ____. The same imported in foreign vessels pays, per barrel, ____ $4.50

3d ____ Foreign flour imported in Spanish vessels, pays, per barrel; ____ $4.69½

4th ____ The same imported, in foreign vessels, per barrel ____ $5.51.½

the last named import is collected on American flour under whatever flag it may be imported, as in accordance with the Royal decree of 12th March 1867, which went into effect on the 1st July of that year, all importations from the United States, in Spanish vessels pay the duties that are collected upon the same importations in foreign vessels: this measure has been

of

of no benefit whatever to the American producer, inasmuch as American productions continue to pay the highest rate of duties, named in the tariff.

Through the operation of this tariff a large number of American products and manufactures are excluded from these markets and their places supplied with English, French and German goods imported in Spanish vessels. A sample of Americ=can cotton prints, is inclosed herewith: these goods when imported direct from the United States pay a duty of 34 13/20 cents, per kilogram of weight: similar goods, imported from Europe in Spanish vessels, pay 26 cents per kilogram or, say, 30 per centum less than the duty upon the American

2/

article

article when imported direct from the United States.

The foregoing will suffice to show the complicated system existing in Cuba for the protection of Spanish shipping: the system up to the present, has deprived American producers and manufacturers of a fair share of the import trade of the Island.

Thirty and even twenty years ago when perhaps sixty per cent or more of the products of the Island were shipped to Europe, Spanish vessels were in demand and came in for a full share of that carrying trade: the export duty on products shipped in foreign vessels - their port dues were also very much less; for instance, up to 1867, Spanish vessels paid tonnage dues at the rate of 62½ cents per ton, while foreign

vessels.

vessels paid $1.50/100 per ton.

While the demand for Cuban sugars, continued in Europe, Spanish vessels in these waters found profitable employment, but of late years the beet root product has taken the place of Cuban sugars, to the extent that the latter are no longer in demand there and no import
= ant market remains for them except the United States, where their consumption has reached to full eighty five per cent of the entire production of the Island, thus the discriminating system which Spain adopted for the protection of her shipping interests in Cuba has at last, become ruinous to those same interests and apparently no other resource remains to her but to appeal to the United

States for a commercial treaty which will admit Spanish vessels, with Cuban products, upon the same footing with their own and the vessels of assimilated nationalities.

In other respects, thaw as regards Spanish shipping interests, is a more liberal commercial treaty deemed of absolute necessity: as has already been stated the policy of Spain hitherto appears to have been to compel Cuba to purchase Peninsular products and, as far as practicable, to exclude the products of the United States: this is shown in the duties upon American flour which are in effect, prohibitory; but it now appears to be well understood in Cuba that of late years, Spain has not produced enough.

enough wheat for her own consumption and has had to import largely from the United States; some of the same imported wheat after being made into flour in Spain is re-shipped to Cuba as a Spanish production.

All these anomalies have at last come to be discussed with much freedom by Cuban consumers and the clamor for a change and for unhammered intercourse with the United States is becoming very general and very decided.

But while a commercial treaty with Cuba, would without doubt, open this market to many products and manufactures of the United States which have been, hitherto, shut out by the operation of a discriminating tariff, it could

not

not in the present impoverished condition of the Island and its limited and nearly stationary population develops a demand sufficient to offset the large and annually increasing sums which the United States expend in Cuba for its staple productions, sugar and tobacco: the advan-tages of such a treaty would be generally in favor of Spain in giving employment to her many vessels now idle, and in favor of the Island in the increased facilities for intercourse with the only important market for its productions and in reducing the cost of many articles of prime necessity.

For convenient reference I inclose a copy of the Cuban tariffs above referred to. 3/

I

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant.
(Signed) Henry C. Hall
Consul General.

Inclosures.

1. ____ Decree of 14th February 1899 appointing a commission to propose the bases of a commercial treaty with the United States.

2. _____ Samples of American cotton prints.

3. _____ Copy of the Cuban tariffs.

DEPARTMENT OF STATE
FEB
17
1882
RECEIVED

Aek 8 Feb 24/82

D. H. Clair

N°1103. U.S. Consulate General

Habana Feby 11th 1882.

Mr Williams, to the

Department of State.

Acknowledging receipt of the Department's separate instruction of 10th January ultimo, and of n° 637 dated the 1st inst=

No 1103. U.S. Consulate General

Havana, Febuary 11th 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington

Sir:

I have the honor to acknowledge the receipt of your separate instruction, of 10th January ultimo, and No. 637 of 1st instant, the contents of which have my careful attention.

I am Sir,

very respectfully.

Your Obedient Servant

R. O. Williams

Vice Consul General

Copy to Mr Reed with instructions to inquire whether the Powers of the Governor General are absolute and permit him to order persons to leave Cuba in the arbitrary way in which he appears to have acted in this case.

Wade + Dr St Clair

DEPARTMENT OF STATE
FEB 23 1882
RECEIVED

No. 1104. U.S. Consulate General.

Habana, February 16th 1882.

To Mr Reed 2 Mar 82

Ackd Mar. 8/82

Mr Williams, to the

Department of State.

Reporting the case of Miguel G. Barnet.

The presence, of the individual above named, a Cuban by birth, and a naturalized citizen of the United States, in this Island is considered by the Governor General, as dangerous to the public peace, and he is ordered by that authority to leave this Island.

No. 1104. U.S. Consulate General.

Havana, February 16th 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington

Sir:

Respectfully referring to Mr Hall's dispatch No. 829, of July 31st 1879 with inclosures as also to the Department's elaborate instruction regarding the arrest, imprisonment and ill treatment here of Mr. Miguel G Barnet, a native of Cuba and a naturalized citizen of the United States, I have now

to report to the Department, that, on the 13th instant, I received a polite request from His Excellency the Governor General to call upon him at the Palace at 4 o'clock P.M., at which hour I repaired thither.

Arrived there, the General told me his object in calling me was to inform me that Don Miguel G. Barnet, an ex-Lieutenant Colonel in the last expedition of Calixto Garcia, had arrived from the United States, with an American passport, and that he had information from the United States —

assuring

assuring him that the object of Barnet's visit here was to put himself in personal communication with certain parties in the interior with the object of concerting measures between them and some malcontent Cubans in the United States for the disturb-ance of the public peace of the Island, directed against the authority of Spain. That, therefore, without any disrespect to the American citizenship of Barnet, though he was confident he had only obtained it as a shield to him in his conspiration against Spain,

that

that he must refuse him the privilege of remaining here and that he should order him to depart by the first steamer for the United States and requested me to communicate this determination to Mr Barnet.

Returning to the Consulate, I addressed a note immediately to Barnet, asking him to call on me as I had to communicate to him an order from the Governor General.

Mr Barnet called to see me yesterday morning, and after informing him of the order for his departure

he

he assured me that his only object in coming here was to obtain a certificate from the authorities in Matanzas of his widowhood, as he was about to marry in New York, the daughter of Calixto Garcia, ex-general in the late insurrection, and that he is now and has for a long time been entirely disconnected with any insurrectionary movement against the Island of Cuba, and concluded by asking me to intercede with the Governor General to allow him permission to go to Matanzas for two or three days, which request was refused.

by the Governor General in a subsequent interview, and I have now so informed Mr Barnet today.

In view of the antecedents of Mr Barnet, arising from his connexion with the late insurrection, and to the fact that a case, similar to the present, occurred to him here last summer, but which I did not report, I have considered that his pre-=tentions cannot reasonably be sustained by this Consulate General, which I doubt not will meet with the approval of the Department.

I have the honor to be, Sir,

very respectfully

Your Obedient Servant

R. O. Williams

Vice Consul General

DEPARTMENT OF STATE
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approve the action of the Comm
The demand is based upon
as not warranted by international
usage, or as cited in its terms.

Ans 8/ Feb. 28 82 D M Clair

No 1105. U.S. Consulate General.

Havana, February 18th 1882.

Mr Williams, to the

Department of State.

Request of the Director General of Finances of the Island of Cuba, for information from this Consulate General regarding the number of packages, their weight and contents and the names of the shippers of merchandize, per American steamship "Saratoga" on her trip, hence for New York, the 12th January ultimo.

Transmitting copy and translation of the communication of the Director General of Finances on the subject above mentioned.

mentioned

One inclosure.

No 1105. U.S. Consulate General

Havana, February 18th 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I herewith transmit for the information and instructions of the Department copy and translation of a communication dated the 15th instant, received to-day, from the Director General of Finances, asking me to furnish him with an authenticated list of the cargo and names of its shippers, loaded at this port by the American steamship 'Saratoga' Captain Thos. L. Curtis, on her regular trip from Havana

to

to New York the 12th January ultimo,
and which request without special
orders from the Department, I shall
courteously decline to perform, and
would therefore, respectfully ask
the Department for instructions on
the subject.

I would, however, anticipate this request by saying that the Captain of no vessel in this harbor can receive cargo on board for which the Customs authorities may not have previously given corresponding permits to the shippers; in addition to which, there are stationed on board every steamer from the time of anchoring in this harbor to the moment of departure several Custom House

officers

officers with no other duty but that of seeing that all cargo taken into the ships tallies with the permits, and the captain and nobody else belonging to the ship can interfere with the operation.

In this view, to consent to the desires of the Director General would only be to sub=ordinate this office to a proceed=ing that can in my opinion only bring about disagreeable complications in our commercial relations with the Government of this Island.

I have the honor to be, Sir,

very respectfully.

Your Obedient Servant

R. D. Williams

Vice Consul General.

Inclosure

Inclosure.

1. ——— Mr Rojas, Director General of Finances of Cuba, to Mr Williams, February 15th 1862.

Inclosure Nº 1

With Dispatch Nº 1105

Habana, February. 18th 1882.

General Direction of Finances

of the Island of Cuba.

Nº 3358. fº 83.

I have respectfully to request you to remit to this Direction, an authenticated copy of the cargo taken hence by the American steamship "Saratoga", on her trip of 12th January ultimo, expressing the number of packages, their weight and contents as also the names of the shippers thereof.

Which I submit,

soliciting

soliciting your /promt dispatch
of this request.

God /preserve Y. H. many years.

Habana, February 15th 1882.

Carlos de Rojas.

To the Consul General
of the United States of
America at this City.

Copy

Copy.

Direccion General de Hacienda
de la Isla de Cuba.

3358. f.º 83.

He de merecer de V.S se
sirva remitir á esta Direccion
copia autorizada de la carga que
condujo el vapor americano —
"Saratoga", en su viaje del 12 de Enero
ultimo, con espresion de los bultos,
peso, contenido y embarcantes.

Lo que manifiesto á V.S. —
suplicandole la brevedad en el —
despacho de este asunto.

Dios guie á V.S. muchos años.

Habana 15 de Febrero de 1882.

Carlos de Rojas.

Señor Cónsul General de los Estados
Unidos de America en esta ciudad.

DEPARTMENT OF STATE
FEB
28
1882
RECEIVED

Ans & ack. 3/4 ✓ Read with interest

D. H. Blair

No. 1106. U.S. Consulate General.

Havana, February 23d 1882.

Mr Williams, to the

Department of State.

Political situation of Cuba.

Transmitting slips, with trans=
=lations, from the Havana news=
=papers, "La Razon" of 12th
February and "El Amigo del Pais"
of 22nd instant, with quotations
from "La Voz de Cuba", in refer=
=ence to the annexation of the
Island of Cuba.

Two inclosures

No 1106. U.S. Consulate General.

Havana, February 23 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington

Sir:

Referring to my dispatches, No 794 of 8th August, and No 733 of 12th September 1878, I now beg to transmit to the Department, slips from the newspapers of this place, "La Razon of 12th, and "El Amigo del Pais" of 22, cs instants, with accompanying translation of a letter, regarding the separation of this Island from Spain and its annexation to

another

another Nation, published in the 'Razon'.

It is a well ascertained statistical fact that the United States now take of the exports of Cuba _____ 90 per cent.
Europe buying the other 10 " "

100 = unit of comparison.

Therefore, the whole commercial machinery of Cuba depends upon the sugar market of the United States, to the extent of 90 per cent, for the impulse that gives it movement, and upon that of Europe for the re=
=maining 10 per cent.

Were a hotel in New York City to lose 90 per cent

of

of its custom it would have to shut ups, because it could not run on the other 10 per cent.

A large portion of the planters, merchants, bankers and white working popul=ation in the Island, begin to perceive that if other countries, in virtue of cheaper cost of production, interpose themselves between Cuba and the sugar market of the United States, that the plantations, rail-roads, banks and all the other parts of Cuba's commercial machin=ery must stop; hence, an awakening sense to impending

danger

danger and the broaching of
the subject of annexation.

Indeed, de facto, Cuba
is already inside the commercial
union of the United States;
placed there by the working
of the natural universal
economic law; but she is
still held to her original
political union with Spain;
thereby, she now presents a
veritable anomaly; such as is
so graphically portrayed
in the Biblical parable
of the kingdom divided
against itself, and, therefore
cannot stand.

The natural, God's law,
forces her to gravitate to the
United

United States for a market, but Spanish law for the purpose of tribute, pulls her in another direction. Very few years more will be necessary to decide which of these two forces is the stronger.

The writers of this letter are fully aware that to re-obtain her lost prosperity Cuba can expect no healing remedy from Spain, because she has not got it; that is, a sugar market of 50.000.000- of people, in state of rapid progression. And they know, too, to enter upon the future road of material and moral development, that if Cuba

is

is not permitted to nation=
-alize herself with, she must,
at least, harmonize herself
with her natural market.

Aware, that Spain can
do nothing to help their
planting and commercial
interests, the slave oligarchy
still display tenacity in
resisting measures of final
emancipation; because, they
argue to free the slaves, that
is, blot out its new name,
the "patronato", will only add
to the cost of production and
give other sugar countries a
proportionate advantage in
the sugar market of the
United States. And, at a

meeting

meeting called this week
at the Palace of the Governor
General, the planters under
the lead of the oligarchy —
resolved in opposition to orders
from Madrid, not to suppress
the stock and the chain, (el
cepo-y grillete) on their —
plantations, alleging that
they are needed as instruments
of discipline, and for the pre=
=servation of public order.

In accordance with
the same spirit of determined
resistance to final emancipation,
one of the leading advocates,
of free labor of the press of
Havana the "Revista Economica",
has been suppressed within

the

the last fortnight; its editor cast by order of the Governor General into a dungeon of the Morro Castle and from there transported to Spain.

Indeed, here, in this 19th century, slavery and the sugar market of the United States, bear an homologous relation to Spanish power in Cuba and Puerto Rico, that slavery and the mines of Mexico and Peru bore to the power of Spain in the Netherlands in the 16th and 17th centuries, from the time of Charles the 5th to that of Philip the 3d. The object was then gold which was exchanged

for

for mercenaries and the keeping up of organization. But, it is now sugar that exchanged for gold, which performs the same service.

It is only five years ago that the Spanish organ, the "Cronista", of New York, in a lapsus pluma, let slip the expression, "that it was the constant policy of the Madrid Government to subordinate the sugar market of the United States to the prosperity of the Spanish colonies in the West Indies."

From this point of view, it is not difficult to perceive the motives and aim

of Spanish intrigue, in its subtle efforts to obtain through Congress the repeal of the duties on foreign sugars in the United States.

Success on their part would only bring about similar results to those that following the "Bill for the equalization of the sugar duties" passed by the British Parliament under the premier-ship of Lord John Russell, in 1847- viz: to work in favor of slave, instead of free labor, and for the stay of European monarchy, instead of for the development of the Republic in America.

I

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant

R. O. Williams

Vice Consul General.

Inclosures.

1. Slip and translation of a letter published in the newspaper "La Razon", at Havana, the 12th Feby 1882.

2. Slip and translation from the newspaper "El Amigo del Pais" of 22d Febuary 1882, commenting the letter above refered to.

Inclosure No. 1

With Dispatch No. 1106

Havana, February 23d 1882.

From the "La Razon" of Havana

February 12th 1882.

Personas importantes nos dicen:

Sr. D. Saturnino Martinez.

La idea anexionista nunca encontrará calor en nosotros, porque ante todo y sobre todo, somos españoles; pero, si llegara un tiempo en que España no pudiera con nosotros y nos dejara por incorregibles abandonados á nuestro propio destino, ¿no cree usted que la anexión seria el mejor medio de salvarnos del naufrágio? Con la anexión, en ese caso extremo, la isla de Cuba seria para los españoles, que somos trabajadores, un campo de progreso y de seguridad sin límites; la producción azucarera creceria de una manera extraordinaria; el tabaco se fabricaria todo en Cuba, y por consecuencia el trabajador ganaria mucho y viviria bien; el comercio se ensancharia cuanto quisiera, y nosotros seguiríamos siendo españoles lo mismo que lo son los que viven en New York y otros puntos, bien mirados, enriqueciéndonos y volviéndonos á nuestra tierra cuando se nos antojara. ¿Porqué, pues, en su número del domingo ataca la idea anexionista?

Varios suscritores.

Hemos dado publicidad á la anterior carta por complacer á personas que nos merecen respecto, pero no nos gusta ni podemos estar nunca de acuerdo con ella. Bien sabemos nosotros que esa idea es acariciada por muchos que solo piensan en las riquezas materiales; pero nosotros pensamos además en legar á nuestros hijos una patria, una nacionalidad, una historia, algo que no los haga andar errantes por el mundo como los judios. ¿Qué seria un hijo nuestro cubano con la anexión á los Estados Unidos, á Inglaterra, á Francia ó á Pequin? No seria español, ni inglés, ni francés, ni chino. Seria una planta exótica en todas partes, y nosotros no queremos que sea eso, sinó un cubano que ostente con orgullo su española nacionalidad en donde quiera qne pose su planta. Ese mismo engrandecimiento que pueden dar á Cuba otras naciones, ¿porqué no se lo ha de dar tambien España?

Nosotros á la anexión lo preferiremos todo, si un caso extremo llegare, que no llegará.

Translation.

"Persons of importance

address us the following:

Don Saturnino Martinez

Editor of the "La Razon.

The idea of annexation will never find sympathy in us, because before all, and above all we are Spaniards; but should the time arrive that Spain should leave us as incorri=gible and abandon us to our fate, do you not believe that annexation would be the best means of saving us from wreck?

With annexation; in that extreme case, the island of Cuba, would be for those Spaniards who gain their living by work, a field of progress and of security

without

without limits; the sugar production would increase in an extraordinary manner; the tobacco crops would all be manufactured here into cigars; and, in consequence, the working man would gain good wages and live well; commerce would increase to overflow, and we would continue to be Spaniards the same as those who live in New York and other places, respected by all, and after enrich=ing ourselves could return to our native land as we might like. Then, why do you attack the idea of annexation in your last Sunday's issue?

(signed) "Various subscribers.

We have published the above letter to satisfy persons deserving our respect; but it does not please us, neither can we ever agree with it.

We well know that the idea of annexation is caressed by many who only think of material riches; but we think of bequeathing, besides, a country to our children, a nationality, a history, something that will prevent them from wandering through the world like the Jews. What would become of a child of ours of Cuban birth with annexation to the United States, to England, to France or to Pekin..? He would not be

a

a Spaniard, nor an Englishman
nor a Frenchman, nor a
Chinaman. He would be an
exotic plant in all parts,
and we do not wish him to be
that, but a Cuban who may
ostent with pride his Spanish
nationality, wherever his feet
may tread.

The same greatness
that other nations can give
to Cuba, why may it not be
given by Spain?

We would prefer
everything to annexation, but
no necessity for such an extreme
case will arise.

Inclosure No 2
With Dispatch No 1106
Havana, February 23d 1882.

From the "El Amigo del Pais"
of Havana, February 22d 1882.

Decididamente se pone sobre el tapete la cuestion de anexionismo.

La Razon publicó hace dias una carta, que expresaba le habia sido dirijida *por personas importantes*, en la que se decia que no habia mas remedio para *salvarnos del naufrajio, que la anexion.*

Como para que *La Razon* calificase de *importantes* á los autores de la tal carta, debia conocerlos, y como esos autores debian ser peninsulares, pues de otro modo no se habrian atrevido á indicar *tal solucion*, tenemos por averiguado que hay peninsulares que *se resignan* á la anexion.

En su número del domingo, exhuma la carta de *La Razon* un diario que aparece como el Jefe Superior de la intransigencia, y que está dirijido y redactado con muchísimo talento, y traslada la parte mas interesante de ella, en estos términos:

"No cansaremos, sin embargo, la atencion de nuestros lectores con multiplicadas citas, limitándonos por hoy á darles á conocer un hecho reciente, que se presta á muy tristes reflexiones sobre esta situacion, presentada por el optimismo de espíritus superficiales como despejada y hasta lisonjera.

El hecho es que varias *personas importantes* han dirijido al Sr. Director de nuestro apreciable colega *La Razon*, una carta en que manifiestan singular sorpresa por haberse atacado en aquel semanario á la idea *anexionista*.

Los autores de la carta, dando muestras de un desencanto llevado hasta los últimos limites, y de un desconsolador abatimiento, emiten la tristísima idea de que la anexion de Cuba á un pais extranjero seria el mejor medio de *salvarnos del naufrajio*; y emiten esa idea con una sencillez que aleja la sospecha de toda intencion antipatriótica, siendo la espresion mas acabada de una *resignacion* casi inverosimil en corazones españoles.

Segnn ellos, es inevitable el *naufrajio*, y para salvarnos de él debemos empezar por estrellar la nave, que es un pedazo de la Pátria, y conformarnos con vivir en playas extranjeras, produciendo mucho azúcar y mucho tabaco."

"Seguiriamos siendo españoles, dicen, lo mismo que lo son los que viven en New-York y otros puntos.

Siguen algunos comentarios muy templados, y tentativas frustradas de alzar el vuelo de la imajinacion, concluyendo por encontrar en todo esto, la razon que asiste al colega para sostener la agitacion contra las intrigas del *laborantismo*.

¿Acaso es *laborante* "La Razon?" ¿Habria dado ésta hospitalidad en sus columnas á cartas de laborantes?

¡Diabólico talento! Cualquiera creeria que se quiere ir familiarizando al público, con la idea de la anexion, á ver que tal pega, á reserva de hacerle pasar otro mal rato á los liberales que no piensan en anexion, si el elemento activo se sulfura.

Very well, sir, you are right any how.

Esto pudiera llamarse, sacar los castaños del fuego por mano agena.

Your humble servant, sir. I admire your profound ability, without restriction.

Translation.

The question of annexation has been placed resolutely

resolutely upon the topic.

The "Razon", published some days ago a letter addressed to it, by what it calls important persons, in which they say there is no other remedy to save the island from wreck but annex=ation.

As in order for the "Razon" to qualify the authors, as important persons, it must know them, and as these authors must be Spaniards, not Cubans; for otherwise they would not have taken the risk to suggest such a solution, we have the proof, therefore, that there are Spaniards resigned even to annexation.

In its Sunday issue the "Voz de Cuba" the organ of the irreconcilables (intransigentes) and managed with great ability, exhumes and transplants to its columns this letter, with

these

these comments.

"We will not tire the attention of our readers with multiplied quotations, but will limit ourselves to day to merely acquainting them with a recent incident, which lends itself to melancholy reflections upon the present situation, which the optimism of superficial spirits consider flattering.

"The fact is important persons, have addressed a letter to our distinguished colleague the "Razon", in which they manifest singular surprise, because that organ attacks the idea of annexation.

"The authors of this letter in emitting the discouraging idea that the annexation of Cuba to a foreign country, is the only means of saving us from wreck, show signs of a desenchantment and

dejection

dejection of spirit and a res-
-ignation, not usual to Spanish
hearts; but do it with such an
air of simplicity that they
disarm us of all suspicion
of an anti-patriotic intention.

" According to the writer
of this letter, shipwreck is
inevitable, and to save ourselves
we ought to commence by
running the ship, which is a
part of our country - on a
foreign shore, and there
resign ourselves to live, and
to produce much sugar and
tobacco, and continue to be
Spaniards the same as those
of our countrymen who live
in New York and other places.

Then follow some
comments tempered with
moderation, and some useless
flights of imagination, ending
by finding in all this, the
reason that impels the "Razon"

to

to continue its agitation —
against the secret propagators
of anti-patriotic ideas, —
(laborantismo.)

Is the "Razon" the
secret disseminator of anti-
-patriotic ideas? (laborantes.)
Should it have given hospitality
in its columns to the desemi
=nators of treason?

What a devil, this cunning
is! Why, anybody would
believe that the desire is to
familiarize the public to the
idea of annexation, and to
see if it would stick or not;
with the reservation of
making the liberals, who do
not think of annexation,
pass another bad time, if
the active element should
fume against it.

(Then follows in English.)

Very well, Sir, you are right
anyhow.

Then

(Then follows in Spanish.)

This may be called a new way of pulling the chestnuts out of the fire with another's hand.

(Then in English.)

Your humble servant, Sir, I admire your profound ability, without restriction.

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Dispatch
Asst. Sec. of State
Mch. 8/82

No. 1107. U. S. Consulate General

Havana, February 24th 1882.

Mr. Williams, to the

Department of State.

Acknowledging receipt of

the Department's instruction

No. 639 of 11th February 1882.

No 1107. U.S. Consulate General.

Havana, February 24th 1882.

Hon J.C. Bancroft Davis.

Assistant Secretary of State

Washington

Sir:

I have the honor to acknowledge the receipt of your instruction No 639 of the 11th instant.

I am, Sir,

very respectfully;

Your Obedient Servant.

R.S. Williams

Vice Consul General.

DEPARTMENT OF STATE
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Must not be sent to
influence the Florida Senators.

Ack. & mail. 3/2
Confirm to Sen. Call
& Call mail. 4/82

D. Wolcott

No 1108. U.S. Consulate General

Havana, February 25th 1882

Mr Williams, to the

Department of State.

Importation of live fish
into the Island of Cuba,
under foreign flags.

Accompanying a decree of the
General Direction of Finances
of this Island dated February
14th 1882, imposing a duty on
live fish, imported in foreign
bottoms, heretofore free for many
years past, the same to be collected
from the 1st of April proximo.

One inclosure.

No 1108. U.S. Consulate General.

Havana, February 25th 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington

Sir:

I have to inclose, herewith, copy and translation of a decree of the General Direction of Finances of this Island, dated Havana February 14th 1882, imposing a duty of 75 milesimos de escudo" for each kilogramme of live fish, under foreign flags, which affects a poor but industrious class of our people living in Florida, whose sole occupation for

for several years has been that of providing this market with fish: indeed Florida is the only source from which there is any importation into Cuba of that article. This trade gives employment to twenty or thirty small vessels and to a hundred or more persons who could not readily find other occupation.

Forty six Kilogrammes are considered as equal to one hundred pounds, and the "escudo," equal to fifty cents, hence the duty on one hundred pounds of live fish, will be calculated thus:

46 kilogrammes
multiplied by 7 5 "milesimos de escudo"
give 3.450 milesimos de escudo, which,
with the additional
duty of 25 per cent,
imposed on all
merchandize, say

1/4 of 3.450 = 862.

make 4.312 milesimos de escudo, reduced
to dollars, by dividing by two

2) 4.312 = make two dollars and
#2.15
fifteen cents, on each one hundred
pounds of live fish.

This subject has been
fully submitted to the consider-
-ation of the Department by Mr
Hall, in his dispatches nos:
631 and 632, respectively dated
November 23 and 27th, 644 of
Decr

December 22d, 1877, and No 650 of 18th January 1878, to which I now beg your reference.

I have the honor to be, Sir,

very respectfully

Your Obedient Servant.

R. T. Williams

Vice Consul General.

Inclosure.

1. Copy and translation of a Decree of the Director General of Finances of Cuba - dated Febmary 14th 1882.

Inclosure No 1.
With Dispatch No 1108.
Havana, February 25th 1882.

From the Official Gazette of Havana of Febuary 19th 1882.

PARTE OFICIAL.

PRIMERA SECCION.

OFICINAS SUPERIORES GENERALES.

Direccion General de Hacienda.

Aduanas.

El Excmo. Sr. Gobernador General en debido cumplimiento á lo prevenido en la Real órden de 22 de Noviembre de 1880, recaida en el expediente iniciado por D. Antonio Quintana Lopez, sobre importacion de pescado vivo en bandera extranjera; y de acuerdo con lo opinado por la Real Junta de Aranceles, en sesion celebrada en 30 de Noviembre último, se ha servido disponer que á contar desde el dia 1.° de Abril próximo, el pescado vivo que se importe en esta Isla, en bandera extranjera, pagará de derechos á razon de 75 milésimas de escudo por cada kilógramo.

Lo que de órden de S. E. se hace público á los efectos indicados, quedando al cuidado de los Administradores y Colecturías de Aduanas el más exacto cumplimiento de esta Disposicion.

Habana Febrero 14 de 1882.

Cárlos de Rojas.

Translation.

Official Report.

First Section.

General Superior Offices.

General Direction of Finances.

Custom Houses.

His

His Excellency the Governor General in due compliance with the instructions contained in the Royal Order of the 22nd November 1880, as the result of the proceedings (expediente) initiated by Don Antonio Quintana Lopez regarding the importation of live fish, under foreign flags, and in accordance with the opinion emitted by the Royal Board of Tariffs, at a session held the 30th of November ult°, has been pleased to order that from the first day of April next, that live fish, imported into this Island under foreign flags shall pay duty at the rate of 75 "milesimos de escudo por Kilogramme.", which by order of H. E. is now published for the purpose indicated, the most exact compliance

with

with which order is hereby enjoined upon the Administra=tors and Collectors of the Customs.

Habana, February 14th 1882.

Carlos de Rojas.

RECEIVED MAR 3 1882

Fwd the Books.

Ack'd Mch. 8/82

Cons.

Of Claim

Copy with books to Treasy Mch. 9/82

No 1109. U.S. Consulate General

Harana, Febmary 25th 1882.

Mr Williams, to the

Department of State.

Acknowledging the receipt of instruction No 638 and in obedience to the same forwarding three copies of the "Havana City Directory" containing the last published Cuban Customs Tariff of exports and imports.

Accompanying package containing the above referred Directories.

No 1109. U.S. Consulate General.

Havana, February 25th 1882.

Hon J. C Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

Complying with your instruction No 638 of the 8th instant, enclosing copies of a letter from the Honorable the Secretary of the Treasury, and of another from the Chief of the Bureau of Statistics of that Department, asking for the copies of the last published Cuban Customs Tariff both for exports and imports, I have now to say that after diligent search it has been impossible to procure either at the government printing office, at the private printing offices, at the Custom House or in the book-stores of this city even a single copy of the said tariff for the reason that the last edition is extinct, and the re-printing of it

has

has been deferred from year to year, in expectation of the oft announced modification it was about to undergo at the hands of the Superior Authorities at Madrid. In consequence, the old and soiled copies still preserved at the Custom House are the only official means remaining, that customs officers have for appraisement, the calculation and liquidation of the export and import duties here. And most of the merchants have for the use of their offices, the tariff as republished for some years in the Havana City Directory, and even that publication has now ceased. I have, however, been able to collect three copies of this Directory, which has the merit of being translated into English and French, which I inclose in the pouch today, addressed to the Department. No expense has been incurred in their procurement.

I am, Sir, very respectfully

Your Obedient Servant.

R. S. Williams

Vice Consul General

DEPARTMENT OF STATE
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Ans'd

T. & C. Cair

No. 1110. U. S. Consulate General.

Havana, March 1st 1882.

Mr Williams, to the

Department of State.

Acknowledging the receipt of instructions.

N°1110. U.S. Consulate General.

Havana, March 1st 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington

Sir:

I have the honor to acknowledge the receipt of the Department's instruction N° 640, dated February 24th ultimo.

I am, Sir,

very respectfully-

Your Obedient Servant.

A. O. Williams

Vice Consul General.

file

Mr O'Connor

DEPARTMENT OF STATE
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Wish d. Dec. 15/82
See Instr. to Madrid
Feb. 15/82

No 1111. U.S. Consulate General

Havana, March 2nd 1882.

Mr Williams, to the

Department of State.

Fines imposed upon the American steamer "Santiago", at Cienfuegos, in this Island.

Transmitting copy of a communication, from this Consulate General, to the Governor General of Cuba, dated the 28th February, ultimo, protesting against the enforcement and collection of said fines.

One inclosure

No. 1111. U.S. Consulate General

Havana, March 2nd 1882

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington

Sir:

Referring to my dispatch No. 1096 dated the 25th January last past, relating to the fines imposed upon the American steamer "Santiago," at the port of Cienfuegos, the 21st of September of last year, I have now to inform the Department, that having received a letter dated the 25th ultimo, from Messrs Fernandez, Balaguer y Ca, consignees of the said steamer in Cienfuegos, in which they inform me they had understood that instructions

had

had been received from the Minister of the colonies by the Director General of Finances of the island, ordering him to apply and collect the fines in accordance with the Custom House regulations. And that, in consequence, the authorities at that port would proceed against them within the next forty eight hours demanding the amount of $3,000.- They, therefore, asked the intercession of this Consulate with the Director General in behalf of the interests of the steamer "Santiago."

This petition was also verbally sustained by Messrs McKellar, Luling & C°, the agents of the owners in New

York

York City, Messrs James. E.
Ward & Co.

Remembering that
the Director General of Finance
had on a recent occasion ~
excused himself from conferring
on subjects of this nature, ~
alleging for his action, certain
instructions received from the
Minister of the Colonies, copy
of which excuse, dated the 7th
January I forwarded to the
Department, accompanying
my dispatch No 1090 dated the
17th January, I deemed it ~
improper that I should present
this question to him, and there=
=fore, determined to bring it straight
before the Governor General himself.

Accordingly I addressed, and
delivered him in person, the
communication, copy of which
is annexed.

As this matter was
communicated to the Department
on the 25th January, ultimo, I
inferred that by this time, it
must have been referred to the
Minister of the United States
at Madrid for diplomatic
arrangement, and assuming
this as an hypothesis, I argued
from it, asking the Governor
General to order the suspension
of execution of orders for collect-
=ion until the question might
be settled between the Ministers
of both nations at Madrid.

In the interview that ensued, the Governor General not only confirmed the inform=ation communicated by Messrs Fernandez, Balaguer & Co but even added that the amount of the fines was estimated at $40,000.-, and this only made me the more earnest.

The result was that the Governor General consented to order a suspension of the collection, in view of my assurance that the matter is now under consideration between the two Governments. And in another interview, had with him today, on another subject, His Excellency was

good enough to say that he had
given orders to this effect.

I have the honor to be, Sir,

Very respectfully,

Your Obedient Servant.

R. C. Williams

Vice Consul General.

Inclosure

1.— Copy of communication from
Mr Williams to the Governor
General dated Febuary 28th
1882.

Inclosure N° 1
With Dispatch N° 1111
Havana, March 1st. 1882.
Copy.

U.S. Consulate General.
Havana, February 28th 1882.

To His Excellency,
The Governor General.
" &c &c &c
Excellency:

I am urgently compel=
=led to call your attention to the
case of the American steamship
"Santiago" of 2359 registered
tonnage, Captain S.J. Phillips,
belonging to New York and plying
as a regular trader between
that port and the ports of
Santiago de Cuba and
Cienfuegos, on the South side
of this Island.

The case is as follows:
on the 21st of September last

the steamer after having
touched and landed at
Santiago de Cuba the cargo
for that port, arrived at
Cienfuegos where she discharged
the rest, consisting of general
merchandise, in conformity
with her Bills of Lading
and the manifest made in
accordance thereto. This fact
is confirmed by the joint cert-
-ificate, issued by Don Eduardo
Martin y Cárdenas, and Don
Leon Caballero, respectively
the Collector and Auditor of mar-
-itime customs at the port of
Cienfuegos; wherein the said
high officials testify under
their signatures and the
seals of their office, that the
said steamer on the voyage
in question did discharge
'61 47' packages of merchandize,
with their respective marks
and numbers, in toto (en un
todo)

todo) in conformity with the manifest presented by the captain on arrival.

Therefore, in accordance with the testimony of these high officers, the Captain has contra=
=vened no customs law of this Island, and as a consequence, is innocent of any crime or offence. This certificate has been forwarded to the Honorable the Secretary of State at Washington, for which reason I am unable to adjoin it to this communication.

But it appears that in direct opposition to the official statement of the Collector and Auditor of the Custom House of Cienfuegos, Don Carlos Cuervo y Arango has made charges against the steamer, which have been approved by His Excellency, the Director General de Hacienda, and I am assured,

in consequence, by the consignees of the steamer in Cienfuegos, Messrs Fernandez, Balaguer & Co, that a fine of some $3.000- has been imposed, and that the authorities there are about to proceed to its collection.

I, therefore, in most respectful terms, and in obedience to instructions from my Government, hereby protest, once, twice, thrice and as many times as may be necessary against the collection of said fine from the said consignees, Messrs. Fernandez Balaguer & Co, and do also, most respectfully request that Your Excellency give orders at once to the end that said fine shall not be collected until a final agreement upon the question be attained between the representatives of the Governments at Madrid and Washington, between

whom

whom it is now under con=
=sideration.

I have the honor to be,

very respectfully.

Y.E's Obedient Servant

(signed) R.O. Williams

Vice Consul General.

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Mr Clair

No. 1112. U. S. Consulate General
Havana, March 2d 1882.

Mr Williams, to the
Department of State.

Recognition of Mr Juan B. Carbo
as Vice Consul of the United
States at Cienfuegos and of Mr
José Palau y Magdaleno as
Consular Agent at Trinidad by
the authorities of this Island.

No 1112. U.S. Consulate General.

Habana, March 2d 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I have received two official communications from the Secretary of the General Government of this Island, respectively dated the 18th and 22d February, ultimo, the former informing me that Mr Juan B. Carbo, appointed Vice Consul of the United States at Cienfuegos, has been recognized by the Government of Spain - and the latter authorizing Mr José Palau y Magdaleno to take temporary charge of the Consular Agency at Trinidad until he shall receive his Exequatur.

Both gentlemen have been advised of the recognition referred to.

I have the honor to be, Sir,

very respectfully,

Your.

Your Obedient Servant.

R. O. Williams

Vice Consul General.

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Dr St Clair

Archa
Abs. 3/82

No. 1113. U.S. Consulate General.

Havana, March 6th 1882.

Mr Hall, to the

Department of State.

Advising the Department of the writer's return to his post and of having taken charge of his office.

No 1113. — U.S. Consulate General,

Havana, March 6th 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I have the honor to inform you of my arrival at this place and of having on this day assumed my official duties.

I am Sir, very respectfully,

Your Obedient Servant.

Henry C. Hall

Consul General.

DEPARTMENT OF STATE
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Abe 3/82

No 1114. U.S. Consulate General.

Havana, March 9th 1882.

Mr Hall, to the

Department of State.

Receipt of Instructions.

Acknowledging the receipt of ins=
=tructions Nos 641 and 642 of the
28th February and 3d March 1882,
addressed to Mr Williams.

No 1114. U.S. Consulate General.

Havana, March 9th 1882.

Hon J. C. Bancroft Davis -

Assistant Secretary of State.

Washington.

Sir:

I have to acknowledge the receipt of your instructions Nos 641 and 642 of the 28th February and 3d instant, addressed to Mr Williams.

The subject of No 641 in connex=ion with Mr Williams' dispatch No 1105 will receive due and careful attention.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant,

Henry C Hall

Consul General.

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Abt. 3/82

No 115.

U. S. Consulate General.
Havana March 16 1882

Mr Hall to the
Department of State

Transmitting returns, and accounts for clerk hire, and miscellaneous expenses, for the 4th quarter of 1881.

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2 enclosures.

No 1115.

U.S. Consulate General.
Havana March 16 1882.

Hon:
J.C. Bancroft Davis
Asst Secretary of State,
Washington.

Sir;

I have the honor to transmit herewith, the following accounts for clerk hire, and miscellaneous expenses at this Consulate General, for the quarter ended December 31 1881:

Inclosure No 1: Account for Extra Clerk hire, to L. V. Schmidt $375-
" José Calvo " 90-
" L. Betancourt, 35- $500- 1/

Inclosure No 2: Account for Miscellaneous Expenses, Rent $300-
Stationery & Printing " 94.72
Postages &c " 54.53
Boat hire " 48.75
carry over $498.00-$500- 2/

Brought over $498- $500

Subs: to Havana journals. 29.57

Telegram expenses. 7.30 534.87

$1034.87

The above amounts have been debited to the U.S. in my account current for 4th Quarter of 1881. which shows a balance due me of $401.47.

I am. Sir

Very respectfully
Your obedient servant,

Henry C Hall
Consul General.

Enclosures

Sends copy D. Mr Hamlen + contradictions
as reported by Mr Hall

File

To Mr Reed 28 mar

DF Clair
Madu

No 1116. U.S. Consulate General.
Havana, March 16th 1882.

Mr Hall, to the
Department of State.

Fines imposed on the Steamer
"Santiago".

Transmitting a memorandum
of interviews, with the Governor
General and Director General
of Finances, relating to the fines
imposed on the steamer "Santiago"
at Cienfuegos.

The Governor General
has since informed the writer, ~~as~~
verbally, that all of the papers
relating to this case have been called
for by the Ministry of Ultramar,
at Madrid.

One inclosure.

No 1116. — U. S. Consulate General.

Habana March 16th 1882.

Hon J. C. Bancroft Davis -

Assistant Secretary of State -

Washington

Sir:

With reference to Mr Williams' dispatches Nos 1096 and 1111 of the 25th January and the 2d instant, relating to the fines imposed on the steamer "Santiago" of New York at Cienfuegos, in September last past, I transmit herewith a memorandum of interviews between Mr Williams and the Director General of Finances and the Governor General in regard to that case.

The interview with the Governor General was at his request. He desired, for the information of the Minister of Ultramar, to be informed whether Mr Williams' communication of the 28th February - a copy of which accompanies dispatch No. 1111 - was intended as a protest, against the collection of the fines, or as a request for a temporary suspension. Mr Williams replied that the

communication was a solemn protest against the collection of the fines.

In an interview with the Governor General today, he informed me that all the papers relating to this case have been called for by the Minister of Ultramar at Madrid to whom they would be forwarded in a few days.

As the case is now transferred to Madrid, I beg leave to suggest, should the course taken by this Consulate General meet with the Department's approval, that our Minister at that Court be instructed to ask for a revocation of the fines imposed on the aforesaid steamer.

I am, Sir, very respectfully.

Your Obedient Servant

Henry C. Hall

Consul General

Inclosure.

1. Mr. Williams to Mr. Hall
March 11th 1882.

Inclosure No 1
With Dispatch No 1116.
Havana, March 16th 1882.
Copy.

Memorandum for Mr Hall.
March 11th 1882.

I had occasion to call last week upon the Director General of Finances, in regard to the fine imposed at Cardenas on the American Schooner "Ladie Wilcott, arrived there with a cargo of guano from New London Conn:

After we had got through with this business the Director General asked me, in rather a quizzing manner, how was it, that I had gone to the Captain General about the affair of the steamer "Santiago", at Cienfuegos; adding that instead of the

fine.

fine on the steamer being $3000.-, as I had stated in my communication to the Capstain General, that it was $40,000.-

I replied in substance, that it mattered not what the amount might be I was very sure the Government of the United States would not submit to its paiyment in face of the certificate of the Collector and Auditor of accounts at the port of Cienfuegos, to the effect that the cargo of the "Santiago" had been found upon discharge, to be in perfect accord with the manifest presented by the Capstain on arrival. To this he replied, that they had the counter statement of Don Carlos de Aranga the special agent appointed for the fiscalization of this cargo. Upon this the Chief Clerk, who had been called, remarked that it was

quite

quite a hardship that the officers or employees should be deprived of their part of the fines by the Captain General after the Minister of the Colonies had ordered the collection. I inferred from the tenor and tendency of the conversation that the Director General, was as much disappointed as the Chief Clerk, at being debarred from enforcing the collection. and at this point I withdrew.

In accordance with the message you communicated to me from the Captain General, I called upon him at the Palace the next (Thursday) afternoon.

He told me he desired to know if the object of my communication in regard to the same steamer, the 'Santiago' was to ask for the suspension of the fine, as a concession from the Spanish

Government

Government, or whether it was a solemn protest against its enforcement. I replied that it was a solemn protest against the collection, until the matter should be settled between the two Governments. He said his reason for asking this was, that the Ministers of the Colonies had misunderstood his telegram, taking it to mean that I had asked the suspension as a favor instead of a right and, therefore, refused the petition, ordering the collection of the #40,000.- But that he had answered back to Madrid the same morning saying that he had ordered the suspension because of my protest, and the assurance that the case was now a matter of negotiation between the two Governments, adding, that as soon as he received an answer, he would inform you of its nature.

I am, most respectfully. &c &c

(signed) Ramon O. Williams

Vice Consul General.

DEPARTMENT OF STATE
MAR 29 1882
RECEIVED

ack.d
Abl. 3/82

Mr Mclain

No 1117. U.S. Consulate General

Havana, March 20th 1882.

Mr Hall, to the

Department of State.

Appointment of a Deputy

Commercial Agent at Cardenas.

Acknowledging the receipt of

instruction Nos 643 and 644

of the 7th and 8th of March 1882.

The former advising the appoint-

=ment of Mr Walter J. Townshend

to be Deputy Commercial Agent

at Cardenas.

Nº 1117. U.S. Consulate General.

Havana, March 20th 1882.

Hon J. C. Bancroft Davis,
Assistant Secretary of State.
Washington.

Sir:

I have to acknowledge the receipt of your instructions, Nos 643 and 644, of the 7th and 8th instant, respectively, addressed to Mr Williams.

With reference to Nº 643, advising the appointment of Mr Walter T. Townshend to be Deputy Commercial Agent of the United States at Cardenas and directing this Consulate General to make

make application to the proper authorities for permission for him to act in that capacity pending the receipt of his exequatur, I have to inform you that the usual application for such temporary permission and recognition, was made on the 16th instant to the Superior Authority of this Island, and that the result will be reported to the Department in due course.

I have the honor to be, Sir,

very respectfully

Your Obedient Servant.

Henry C. Hall

Consul General.

file acknowledge-

DEPARTMENT OF STATE
MAR 29 1882
RECEIVED

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Abl. 3/82

Mr Blaine

No 1118. U.S. Consulate General
Havana, March 23d 1882.

Mr Hall to the
Department of State.

Fines on the steamer "Santiago"
at Cienfuegos.

Acknowledging the receipt of
instruction No. 645 of the 15th instant.

The Governor General
informs the writer that all pro-
-ceedings against the Captain of
the steamer "Santiago" are suspend
-ed by order of the Minister of
Ultramar.

Transmitting an Article
from the newspaper "Amigo del
Pais" relative to the fines on the
Santiago.

No 1118. U. S. Consulate General
Havana, March 23d 1882

Hon J. C. B Davis-
Assistant Secretary of State-
Washington.

Sir:

With reference to my dispatch, No 1116 of the 16th instant, and Mr Williams' series, relating to the fine imposed on the American steamer "Santiago"; I have now to acknowledge the receipt of your instruction, No 645 of the 15th instant, advising that instructions have been sent to our Minister at Madrid, with the view of having the fines refunded.

Neither in the case of the "Santiago" nor in that of the "Ellie Knight" have the fines been paid, but in both bonds have been given to respond for the amounts thereof in the event of the fines being confirmed by superior authority.

In

In my dispatch N°1116, I stated that I had been verbally informed, by the Governor General, that all the papers relating to the fines on the "Santiago" had been called for by the Minister of Ultramar, thus leaving the matter in suspense until decided in Madrid. Since then, I have been advised, officially, by the Governor General, that by authorization of the Minister, he has ordered a suspension of all proceedings in connexion with the said fine, pending the resolution of the Government of H.M. A copy and translation of the Governor General's communication, which is reply to Mr Williams' protest of the 28th February ult°, is transmitted herewith.

I would also respectfully invite your attention to the accompanying article from

the

the newspaper, "Amigo del Pais" of the 8th instant. It appears from this article, that the case of the "Santiago" was, at its commencement, referred to the Minister of Ultramar and by him sent back to the Director of Finance of the Island, for his resolution, upon the basis, that the Captain of the Santiago had fulfilled his duty in manifesting his cargo in accordance with his shipping documents, and that the captain could not be held responsible when packages of merchandise resulted different from that expressed in the bills of lading; leaving the inference that the shippers or consignees or the merchandise itself, ought to have been held responsible for all discrepancies.

The fines first imposed amounted to 400,000 dollars. this sum was reduced by the

Sub

Sub-Director of Finance. who, with other employees, was to participate therein, to 40,000 dollars - and the final enforcement of the same has been suspended in consequence of Mr Williams' protest of the 28th ultimo. It would seem that the employees are by no means satisfied with this result.

I have the honor to be, Sir,
Very respectfully
Your Obedient Servant,
Henry C Hall
Consul General.

Inclosures.
1 - The Governor General of Cuba to Mr Hall, March 17th 1882.
2 - Article from the newspaper 'Amigo del País of 8th March 1882 - translation.

Inclosure N°1
With Dispatch N° 1118.
Habana March 23d 1882.
Translation. Received March 18th 1882

General Government of the
Island of Cuba.

Treasury -
6,151, f°. 154.

According to the request contained in your official communication of the 28th February ultimo, in regard to that the fine imposed on the Captain of the American Steamer "Santiago" on her voyage of the 21st September ultimo, should not be enforced until a final agreement thereon between the representatives of both Governments, shall have been entered into, I have to inform you, that by authorization of His Excellency, the Minister of Ultramar, I have this day given opportune orders for the suspension of all proceedings in connexion therewith,

pending the final resolution which the Government of H. M may be pleased to adopt.

Which I communicate to Y. H for your information and satisfaction.

× × × ×

Habana, march 17th 1882.

Luis Prendergast.

To the Consul General of the United States in this City.

Copy.

Copy.

Gobierno General de la
Isla de Cuba.
y Hacienda.
6,101 fº 154.

Accediendo á los deseos de
V.S. significados en su oficio de
28 del pasado mes de Febrero respecto
á que la multa impuesta al Capitan
del Vapor Amº "Santiago" en su viaje
del 21 de Setiembre último, no se haga
efectiva, hasta que un convenio final
sea celebrado entre los representantes
de ambos Gobiernos, debo manifestar
á V.S. que autorizado por el Excmo
Señor Ministro de Ultramar, con esta
fecha doy las órdenes oportunas para
que se suspenda todo procedimiento
sobre este particular, hasta la reso-
-lucion que se sirva adoptar el
Gobierno de S. M.

Lo que digo á V.S.
para su inteligencia y satisfaccion
Dios gue á V.S. mº aº

Habana.

Habana, Marzo 17 de 1882.

(signed) Luis Prendergast.

Sor Cónsul General de los
Estados Unidos en esta Ciudad.

Inclosure N° 2
With Dispatch N° 1118
Havana, March 23rd 1882.

From the "Amigo del Pais" of March 8th 1882.

Las multas del Santiago.

Hace algun tiempo que al hablar de las multas impuestas al vapor "Santiago" por el Sr. Cuervo Arango, y al dar la razon á éste bajo el punto de vista legal, es decir, respecto del artículo de las Ordenanzas de Aduanas que era aplicable, indicamos que esas Ordenanzas eran demasiado rigurosas, y que el Gobierno por evitar un conflicto internacional debería reducir la multa apelando á la equidad, y dejando bien puesto el decoro del empleado.

Cuando escribíamos así, se mandaba á la resolucion del Ministerio de Ultramar el negocio de las multas, que vino algun tiempo despues devuelto para que lo resolviera la Direccion de Hacienda, en el concepto de que, dice la Real Orden, segun se nos asegura, debe entenderse que el Capitan del Santiago llenó su deber manifestando los bultos que habia recibido.

Si es esto cierto, el Sr. Ministro fijaba el criterio con que debia procederse, reformando indirectamente las Ordenanzas, pues se indicaba que el capitan no es responsable de que le den barriles de manteca por cimiento romano, no siendo de su competencia averiguar si la mercancia que se le embarca es la misma que reza el conocimiento: que el capitan cumple entregando el número de bultos que recibió.

Todo esto dejaba entrever que el capitan no era penable. ¿Quiénes lo eran entónces, el consignatario ó el remitente? Se les podian aplicar á aquellos los rigores de la Ordenanza? Qué medios habria para hacerlos efectivos?

El Sr. Sagredo, á quien nos dicen fué confiada la resolucion del negocio, rebajó la multa definitivamente de $400,000 á $40,000, que era desplegar la mayor equidad posible; pero el capitan del Santiago en vez de agradecer tanta lenidad, acudió á su Cónsul y éste al Gobierno, diciéndole que el negocio en cuestion debia ser asunto de los dos gobiernos, para lo cual habia un Ministro americano en Madrid. A consecuencia de esta intervencion todo ha quedado en suspenso, y el gabinete nacional y el americano fijaran la jurisprudencia que débe seguirse en uno y otro pais, en casos parecidos al del vapor "Santiago."

Esto es siempre una ventaja, pues las Ordenanzas de Aduana serán reformadas con arreglo al espíritu de la época, y fijados los deberes y derechos de los navieros y comerciantes extranjeros, para que no haya dificultades.

Las naciones son hoy solidarias de intereses entre sí, y no puede establecer cada una aisladamente una legislacion marítima que perjudique gravemente los derechos de las demás, por lo cual se va haciendo necesario armonizar los procedimientos que, en casos dados, de interés general, deban seguirse.

No vemos pues, en el asunto del "Santiago" desdoro para nadie, ni presion de parte de nadie. La verdad es que una multa que sube á dos ó tres veces mas del valor del bulto, por considerarse que éste ha cometido una falta que en otros paises no se mira como tal; imponer una legislacion atrazada, cuando todo marcha al progreso, no es razonable ni hay argumentos sólidos con que sostenerlo.

El contrabando no se combate con multas mas ó menos, sino con los aranceles bajos. Con estos, salvo raras excepciones, el comercio marcha por la línea de la buena fé, porque la ganancia ilícita no compensa, ni con mucho, el riesgo que se corre.

Translation.

Translation.

The Fines on the "Santiago".

Some time since, in referring to the fines imposed on the steamer "Santiago", by Señor Cuervo Arango, and in asserting, that from a legal stand-point, that is in so far as it concerns the Article of the Customs Ordin-=ances was applicable to the case, we suggested that the ordinances were too severe and that the Government, in order to avoid an inter-=national conflict, could, for considerations of equity, reduce the fines without wounding the self respect of that employee.

When we wrote in that tenor, the case of the fines was being submitted to the Ministry of Ultramar for

for his resolution: it was returned some time afterward, for the Director of Finance to resolve, with the opinion expressed, that the Captain of the "Santiago" had complied with his duty in manifesting the packages he had received on board.

If this is true, the Minister has fixed the course of proceedings, reforming, indirectly, the Ordinances, it having been shown, already, that the Captain is not responsible when barrels of lard are delivered to him for Roman Cement; nor is it incumbent upon him to ascertain whether the merchandize shipped is the same that is called for by the Bill of Lading, and that the Captain fulfils his obligation by delivering the number

of

of packages he has received.

From all this, it can be discerned that the Captain was not responsible. Who then were the responsible parties, the consignees or the shippers? Can the penalties of the Ordinance be applied to them? What would be the steps for enforcing the penalties?

Señor Sagredo, to whom, we are told, was entrusted the decision of the case, reduced the fine from 400:000 to 40,000 dollars, which was a display of the greatest possible equity; but the Captain of the "Santiago," instead of being grateful for so much lenity, appealed to his Consul, and the latter to the Government, protesting that the affair in question should be a matter for the decision of the two Governments and for which

there

there was an American Minister at Madrid. In consequence of this intervention, everything has remained in suspense, and the national and American Cabinets will establish the jurisprudence to be followed in the one and the other country in cases like that of the steamer "Santiago".

This will be a gain; the Ordinances of Customs will be reformed in accordance with the spirit of the times; the duties and rights of ship owners and foreign merchants will be fixed in order to avoid further difficulties.

To day, there is a solidarity of interests among nations; each one by itself cannot establish an isolated maritime legislation, in grave prejudice to the rights of the others; it is therefore becoming essential to harmonize

<u>the</u>

the course of proceedure to be followed in matters of common interest.

In this affair of the "Santiago" we can see no disparagement for any one, nor pressure on the part of any one. The truth is, that a fine of more than twice or thrice the value of a vessel, for a fault that would not be considered a fault in other countries, the imposition of antiquated legislation, when everything marches towards progress is not reasonable nor sustainable by sound arguments.

Smuggling is not to be suppressed by either fines or confiscations, but by low tariffs. With the latter, except in rare instances, commerce marches in line with good faith, for illicit gain does not compensate, by a great deal, the risks incurred. —

acknowledge. The information will
greatly assist [illegible] under my responsible [illegible]

Ack'd
Advt. 11/82

Dr H Clair

APR 7 1882 RECEIVED DEPARTMENT OF STATE

No 1119. U.S. Consulate General.
Havana, March 30th 1882.

Mr Hall, to the
Department of State.

Reporting case of Mr Arcadio
Garcia Aguilar.

On the evening of the 5th instant,
while a carnival procession was
passing through one of the streets
of Havana, Mr Arcadio Garcia
Aguilar, a naturalized citizen of
the United States, was assaulted by
three policemen: during the affray
he lost a package of bank bills which
he carried on his person. The case
was brought to the notice of the
Governor General who ordered the
loss to be made good to the complain
=ant.

Copies and translations of corres=
=pondence transmitted herewith.

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6 inclosures.

No. 1119. U. S. Consulate General.

Havana, March 30th 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

As a matter of record and, possibly, of future reference I beg leave to report to the Department the case of Mr. Arcadio Garcia Aguilar, a naturalized citizen of the United States, although a native and, for many years, since his naturalization, resident of this Island.

Mr. Garcia states in his communication, a copy and translation of which are enclosed, that on Sunday, the 5th instant, (carnival Sunday) while returning from the Post Office and on his way to his home, he was suddenly, and without previous warning, assaulted and beaten by three

members

members of the different police corps of this city: that the policemen used the flats of their sabres, but that he was finally rescued by an inspector of police who informed him that the assault was due entirely to a mistake and that reparation would be made him. He further alleges, in his statement, that after being conveyed before the Police Inspector of the 3d District, where he made a statement in regard to the outrages he had been subjected to, he was taken to a dispensary where a surgeon examined the contusions he had received; thence he proceeded to his home and there he discovered that a sum of money in bank bills, (one hundred and seventy five dollars) which he carried on his person, was missing.

The facts as communicated to me were brought to the notice of the Governor General, to whom I also transmitted a copy of Mr. Garcia's

2

Garcia's communication, with the request that an investigation of the charges might be made, and the aggressors punished.

The reply of the Governor General came promptly; he expresses regret at the occurrence, although believing that the complainant has exaggerated the injuries; that the occurrence was purely accidental and owing to the confusion created by the arrest, at that moment from a crowd, of a number of persons accused of creating a disturbance and otherwise violating the ordinances for maintenance of public order on that day, which happened to be carnival Sunday: that the policemen could have no purpose or intention to ill-treat an American citizen and that, from the proofs produced, no penalty could be imposed on them; nevertheless, they had been severely reprimanded and admonished

by:

by the Governor of the Province: that, in regard to the money, the complainant alleges he lost during the affray, although no proof thereof has been offered, the Governor General did not pretend to doubt the fact, and had given orders that the amount should be placed at my disposal for restitution to Mr Garcia.

Upon making known to Mr Garcia the decision of the Governor General, he expressed his entire satisfaction therewith and perfect willingness to let the matter terminate with the restitution of his pecuniary loss: this being communicated to the Governor General the money referred to was promptly sent to me from the office of the Political Secretary and duly acknowledged by me as per copy herewith, with a copy and translation of a letter from Mr Garcia.

4/

5/6.

Mr Garcia returned

to

to this Island from the United States in June 1874: and has resided here, permanently, ever since; he was registered in this office on the 15th of that month, upon the presentation of his certificate of naturalization issued at Jacksonville, Florida, May 20th and the Department's passiport No 39,608 dated 25th May of the same year (1874). From all I can learn he is a worthy man, maintaining himself and family on a small salary which he receives from the owner of a foundry, where he is employed; but, he is, evidently, of that class of citizens who become naturalized with no other object than that of returning to the places of their nativity, there to reside, permanently, as foreigners; a contingency, which probably was not contemplated by the framers of our naturalization laws.

I have the honor to be, Sir,

Very

Very respectfully
Your Obediant Servant-

Henry C. Hall
Consul General

Inclosures-

1.— Mr Arcadio Garcia Aguilar to Mr Hall- March 11th 1882- copy and translation.
2.— Mr Hall to the Governor General March 13th 1882.
3.— The Secretary of the Governor General to Mr Hall March 14th 1882. copy and translation.
4.— Mr Hall to the Governor General March 16th 1882.
5.— Same to same March 18th 1882.
6.— Mr Arcadio Garcia Aguilar to Mr Hall, March 22d 1882.

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Inclosure Nº 1.
With Dispatch Nº 1119
Havana, March 30th 1882.
Translation.

Wm Arcadio Garcia Aguilar to Mr Hall.

Sir:

Arcadio Garcia Aguilar a citizen of the United States of America, makes known to you that on Sunday the 5th instant he was indignly assaulted by two persons belonging to the Corps of "Orden Público" and one of the Government police, Nº 74, the motives for which he has not yet learned.

While returning from the Post Office and going peaceable to his home in Perseverancia St Nº 43 for which he had to cross Prado St at the corner of Neptuno and was walking on the North side of the latter between Prado and Consulado, he was suddenly assaulted, by the

two

two members of the Corps of Orden Público, above mentioned, using the flats of their sabres and by the policemen No 74 owing a club, without previous words of warning, the assault continuing until he had fallen to the ground in consequence of the blows received, when the narrator was protected by the police inspector Don Manuel Villareal, who informed him that he was the victim of a mistake, took his name and assured him that due repara-tion would be made.

Among the great number of persons present, the narrator remembers there were Messrs Delfin Maisino, Pedro Bonifax, Antonio Cairo and Doctor Ygnacio Rojas, whom he has presented as witnesses.

Upon appearing before the Inspector of the 3d District, he was sent to the

dispensary

dispensary, in San Miguel street, where his contusions were examined; it was noted that his clothes were torn, also that one of the pockets of his frock coat was burned, a box of matches he carried — having ignited from the blows he received. He then entered his complaint and protested against the unjustifiable assault of which he had been the victim. After this I went to my house and there I discovered the loss of one hundred and seventy five dollars, in Spanish Bank Bills, which I carried in the inside pocket of my coat, which money did not belong to me, and doubtless fell out when I was receiving the blows.

I have to day given my declaration, with other witnesses, before an employee of the 3d. — Inspection District; I have to state however that the declarations were not signed, because we were

told it was unnecessary.

All of which I bring to your knowledge as the representative of our Nation before the authorities of this Island, as I require redress for the outrage and indemnification for the damage.

Habana, 11th March 1882.

Arcadio Garcia Aguilar

To the Consul General of the United States.

&c &c &c

Copy.

Copy.—

Señor Cónsul General de los Estados Unidos de America en la Habana.

Señor:

Arcadio Garcia Aguilar, ciudadano de los Estados Unidos de América participa á V. que el domingo cinco de Marzo ha sido indignamente atropellado por dos individuos del Cuerpo de Orden Publico y uno de la policia del gobierno el Nº 74, sin que haya podido todavia saber las causas de tal atentado.

Despues de haber ido al Correo General, venia tranquil=amente para su casa, Perseverancia Nº 43, y al efecto atravesó la calle del Prado por la esquina de la de Neptuno; y por la acera Norte de esta andaba, entre Prado y Consulado, cuando fue atacado de repente á planazos con sables

cortos

cortos por la pareja de Orden Publico citado y á palos por el vigilante del Gobierno Nº 74, sin que precediesen palabras, continuando dicho atropello hasta que caido en el suelo á consecuencia de los golpes, fué amparado por el inspector de policia Dn Manuel Villareal, quien le manifestó que habia sido victima de un error y que se le haria una reparacion y quien tomó el nombre, apellido y direccion del que firma.

Entre el sin numero de personas presentes, recuerda que lo estaban Dn Delfin Masino, Dn Pedro Bonifax, Dn Antonio Cairo y el Dtor Dn Ygnacio Rojas. á quienes ha presentado de testigos.

Presentado al Inspector del tercer distrito, fué remitido á la casa de Socorro situada en la calle de San Miguel, donde

le reconocieron las contusiones y notó que todos sus vestidos estaban rasgados, asi como — guemada una de las faltri = =queras de la lesita, porque á consecuencia de los golpes se habian inflamado los fósforos que en una cajita llevaba, y entonces formuló parte y protesta por el atropello injustificado de que habia sido víctima. Despues me retiré á mi casa, y en ella noté la pérdida de ciento setenta y cinco pesos en billetes del Banco Español que llevaba en el bolsillo interior de la lesita, cuya cantidad no me pertenecia, y seguramente cayó al suelo cuando recibia yo los golpes.

En el dia de hoy he prestado declaracion, asi como varios — testigos, ante un empleado de la Inspeccion del tercer distrito, pero debo advertir á V^ que esas declaraciones no fueron firmadas

porque se nos dijo que era innecesario.

Todo lo que ponga en conocimiento de V. como representante de nuestra Nacion ante las Autoridades de esta Isla, pues necesito reparacion del ultraje é indemnizacion del daño.

Habana, 11 de Marzo de 1882

(Signed) Arcadio Garcia Aguilar.

Inclosure Nº 2
With Dispatch Nº 1119.
Havana, March 30th 1882.
Copy.

Consulate General of the
United States of America.

Havana, March 13th 1882.

To His Excellency, the Governor General.

&c &c &c

Excellency:

I transmit herewith for the consideration of Y.E. and for such determination as Your Excellency's high sense of justice will require, the annexed copy of a communication addressed to this Consulate General by Mr Arcadio Garcia Aguilar, a citizen of the United States, who was the victim of an assault on the part of certain members of the corps of "Orden Publico

Publico" and police of this Capital on Sunday the 5th instant. Mr. Garcia's statement is fully corroborated by Señor Dr Ygnacio Rojas y Quintana, a surgeon dentist, living at nº 44 Calle de Villegas, who was an eye witness to the disgraceful scene he narrates in a communication, signed by himself, addressed to H E the Governor of the Province and published in "La Correspondencia de Cuba" of the 11th instant.

So grave are the charges contained in Mr. Garcia's communication, that I have no doubt E.E. will order a thorough investigation, to the end, that the aggressors shall be subjected to the full penalty which, surely, the laws impose for such outrages upon peaceful citizens of every nationality.

I improve this opportunity to assure Y E. of my high personal respect and distinguished consideration

(signed) Henry C Hall.
U S Consul General.

Inclosure N° 3
With Dispatch N° 1119.
Habana, March 30th 1882.
Translation

General Government of the
Island of Cuba.
Secretary's office.
Political.

In view of the expediente remitted to this Superiority by H.E. the Civil Governor of the Province, and which was initiated by the Police in consequence of the report made by the American citizen Don Arcadio Garcia y Aguilar, complaining that on the evening of the 5th instant, he was assaulted and ill-treated by a guard of the Orden Público, and a policeman; and it appearing from the expediente that no legal proof exists of the charge, inasmuch as the person he cites as a witness, was one of those whom the Police

had

had arrested for having disturbed
public order, at the time of the
occurrence to which the complaint
refers, and that the certificate
of the surgeon by whom the
person concerned was examined
at the Dispensary, although it
does not confirm the gravity of
the alleged blows, which, it is
certain, he received; His Excellency,
the Governor General, who
sincerely laments the occurrence,
knowing besides that the police,
while on duty, could have had
no intention nor special purpose
to ill-treat nor to give offense to
an American citizen; that it was
accidental and caused by the
great number of people collected
at that moment, and the natural
confusion produced by the arrest
of a number of persons for
creating a distvibance and
for violating the public ordenances
in force on that day, has been

please to decide, that from the
proofs produced, no penalty
can be imposed on the guard
and policeman referred to, but
notwithstanding they have been
sererely reprimanded and
admonished by the Governor of
the Province; and although
no proof has been presented
in regard to the loss of the 175
dollars in Spanish Bank bills,
of which the party concerned
complains, and which is not
strange, considering the facility
of losing and the difficulty of
proving it under such circumstances,
His Excellency, not doubting the
truth of this assertion, has been
pleased to order that the said
sum be made good, placing
the same at your disposal in
this Government General; to
that end, V. M. can take such
steps as may be most convenient
for its delivery to the person

concerned.

Which I have the honor to communicate to Y.E. as the result of your communication of the 13th instant.

× × × ×

Habana 14th March 1882

Mariano Diaz de la Quintana.

To the Consul General
of the United States
in this Capital.

Copy

Copy.—

Gobierno General de la
Isla de Cuba

Secretaría.

Política

Visto el expediente remitido á esta Superioridad por el Exmo Sr. Gobernador Civil de esta Provincia y el cual fue instruido por la Policía á consecuencia del parte producido por el ciuda=dano americano D. Arcadio García y Aguilar, quejandose de que en la tarde del 5 del actual fue atropellado y mal=tratado por un guardia de Orden Público y un Vigilante; y resultando del mismo que no existe prueba legal de la acusa=cion, puesto que el individuo que cita como testigo era uno de los conducidos por la policía por haber alterado el órden en los

momentos

momentos de la ocurrencia á
que la queja se contrae, y que
la certificacion del reconocimiento
facultativo á que se sometió
el interesado en la Casa de
Socorros respectiva si bien no
justifica la graredad de los
golpes es cierto que en efecto
los sufrió el interesado, el
Exmo Sr Gobernador General
que lamenta muy de veras el
hecho ocurrido, conociendo
ademas que la policia en su
comision no pudo haber tenido
intencion ni especial propósito
de maltratar ni causar ofensa
á un ciudadano americano,
sino que fue casual y motivado
por el gran número de gente
que se aglomeró en aquel
momento y produjo la natural
confusion por haberse ademas
alterado el órden á causa de
la detencion de cierto numero
de individuos que infringieron

las

las disposiciones vigentes en ese dia, se ha servido resolver que por las pruebas acreditadas no procede la imposicion de pena al guardia y vigilante de referencia, que sin embargo han sido repren=didos y severamente amonestados por el Gobernador de la Provincia; y que si bien no aparece la justificacion de la pérdida de los 175 pesos en billetes del Banco Español, de que tambien se queja el interesado, lo que no es extraño por la facilidad de la perdida y la dificultad de probarlo en situaciones semejantes, no dudando S.E. de la certeza de este aserto, se ha servido acordar que dicha cantidad sea satisfecha, quedando á disposicion de VS. en este Gobierno General, y que al efecto puede VS disponer lo que estime procedente para

su

su entrega al interesado.

Lo que, de órden de S. E., tengo el honor de comunicar á V.S. como resultado de su escrito de 13 del actual

Dios gue á V.S. m.s a.s.

Habana, 14 de Mazzo de 1882

(signed) Mariano Diaz de la Quintana

Señor Consul General de los Estados Unidos en esta Capital.

Inclosure N° 4.
With Dispatch N° 1119.
Havana, March 30th 1882.
Copy.

Consulate General of the United States of America at Havana
March 16th 1882.

To His Excellency the Governor General.

&c &c &c

Excellency:

I have the honor to acknowledge the receipt of the attentive communication, dated the 14th instant, relating to the complaint, addressed to Y.E. through this Consulate General, by Mr Arcadio Garcia y Aguilar, a citizen of the United States and to state in reply that I have made known to him the resolu-tion of Y.E. and that he has expressed to me his entire willingness to admit the restitution of the 175 One hundred and seventy five dollars

in

in Spanish Bank Bills, which were lost by him on the occasion which gave rise to his complaint. Y.E. may therefore, whenever convenient, order that the said sum be sent to this Consulate General and, for the same, I will either give or will obtain from the party interested the necessary voucher of payment.

I further desire to say that I have taken information in regard to the standing and character of the aforesaid Garcia Aguilar and have learned nothing to his prejudice: he has been for several years in the employ of a well known and highly respectable native American citizen who has expressed to me full confidence in his honesty and integrity.

It remains for me to manifest to Y.E. my sincere thanks for the just and impartial decision rendered in this case and for its satisfactory termination.

I improve this occasion to renew to Y.E. the assurances of my high personal respect and most distinguished consideration.

(Signed) Henry C Hall.
Consul General of the U.S.

Inclosure N°. 5.

With Dispatch N° 1119.

Havana. March 30th 1882.

Copy.

Consulate General of the United States of America, at Havana

March 18th 1882.

To His Excellency

The Governor General

&c &c &c.

Excellency:

With reference to the communication I had the honor to address Y.E., under date of the 16th instant, relating to the complaint of Mr Arcadio Garcia y Aguilar, I have now to state

in Spanish Bank Bills, which were lost by him on the occasion which gave rise to his complaint. Y.E. may therefore, whenever convenient, order that the said sum be sent to this Consulate General and, for the same, I will either give or will obtain from the party interested the necessary voucher of payment.

I further desire to say that I have taken information in regard to the standing and character of the aforesaid Garcia Aguilar and have learned nothing to his prejudice: he has been for several years in the employ of a well known and highly respectable native American citizen who has expressed to me full confidence in his honesty and integrity.

It remains for me to manifest to Y.E. my sincere thanks for the just and impartial decision rendered in this case and for its satisfactory termination.

I improve this occasion to renew to Y.E. the assurances of my high personal respect and most distinguished consideration.

(Signed) Henry C Hall.
Consul General of the U.S.

Inclosure No. 5.

With Dispatch No 1119.

Havana. March 30th 1882.

Copy.

Consulate General of the United States of America, at Havana

March 18th 1882.

To His Excellency

The Governor General

&c , &c &c.

Excellency:

With reference to the communication I had the honor to address Y.E., under date of the 16th instant, relating to the complaint of Mr Arcadio Garcia y Aguilar, I have now to state

that I have this day received, through the office of the Secretary of the General Government, the sum of one hundred and seventy five dollars in bills of the Spanish Bank, which will be delivered to the said Garcia as suggested in Your Excellency's communication of the 14th instant.

I embrace this opportunity to repeat to Y.E. my thanks for the very satisfactory termination of this disagreeable affair.

I have the honor to be, Y.E.,

with great respect

Your Obedient Servant

(Signed) Henry C Hall

Consul General.

Inclosure N° 6
With Dispatch N°. 1119.
Havana, March 30th 1882.

Translation.

Havana, March 22d 1882.

Sir:

I cannot do otherwise than manifest to you my gratitude for the prompt and efficient redress of the injury done to me by three members of the police of this City on the 5th instant - this redress is the more acceptable inasmuch as it has been worthily accorded by H.E. the Governor General, who has done me full justice and which I now gratefully recognize.

I am, with great respect,
Your Obedient Servant
Arcadio Garcia Aguilar

To Mr Henry C Hall
Consul General of the United States
&c &c &c.

Copy

Copy.

Mr. Henry C. Hall

Consul General de los Estados Unidos de América.

Habana, Marzo 22 de 1882.

Señor:

No puedo ménos que mostrar á V. mi gratitud por la pronta y eficaz reparacion al agravio que se me infirió el 5 del actual por tres miembros de la Policia de esta ciudad, en reparacion tanto mas de agradecer, cuanto que ha sido dignamente acordada por el Exmo Señor Gobernador General discerniendo me cumplida justicia, como yo la cumplo reconociendola con toda la efusion de mi alma.

Soy con el mayor respeto de V.

S.S.g.s.m.t.

Arcadio Garcia Aguilar

DEPARTMENT OF STATE
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RECEIVED

Complied

Ackd & certificate sent Abt. 11/88

D. H. Claire

No 1120. — U. S. Consulate General.

Havana, March 31st 1882

Mr Hall, to the

Department of State.

The steamer "Santiago."

Requesting the return to this office of the original certificate, of the collector and auditor of customs at Cienfuegos dated 3d October 1881.- and transmitted to the Department with Mr Williams dispatch No 1096 of the 25th January 1882.

No 1020. U. S. Consulate General

Havana, March 31st 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington

Sir:

I have the honor to request that the original certificate, in Spanish, dated 3d October 1881, of the Custom House of Cienfuegos, transmitted with Mr Williams' dispatch No 1096, of the 25th ultimo, may be returned to me to be filed in this office. Application has been made to me for a certified copy of the said certificate and I am unable to furnish it; nothing but a press

copy

copy of the translation having been retained here.

The certificate, referred to, relates to the number of packages discharged from the steamer "Santiago", at that port, in September last past.

I am, Sir, very respectfully -

Your Obedient Servant -

Henry C. Hall

Consul General.

Copy to Treasy – The publications named were sent to Treasy. Apr 20 – without any letter.
D Tclair

APPROVED 20 1882 RECEIVED

No 1121. U.S. Consulate General.
Havana, April 12th 1882.

Ack'd & copy to Treas
Apr. 22/82

Mr Hall, to the
Department of State.

Price Lists of Cigar Manufacturers.

Accompanying two packages addressed to the Treasury Department, containing cigar manufacturers Price Lists for the use of the Customs Revenue officers of the United States.

№ 1121. U.S. Consulate General.

Havana, April 12th 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

In compliance with the Department's instruction, № 37 of the 24th March 1874, I forward with this dispatch, two packages, addressed to the Treasury Department, containing copies of the last edition (march 1882) of Spencer's Price Lists of the principal cigar manufacturers of Havana, for the use of the Customs' revenue officers of the United States.

These packages contain copies addressed as follows:

To the following Boards of Appraisers,

at New York-4; Boston-2; Portland Me-1;
Philadelphia-2; Baltimore-2; New Orleans-2;
San Francisco-2;

and to the following Collectors of Customs;

at New York-3. Buffalo N.Y.-1 Boston-1.

Portland, Me- 1; New Haven Ct. 1; Philadelphia 2
Pittsburgh Pa:- 1; Baltimore 1; Charleston- 1;
Savannah Ga:- 1; Cedar Keys Fla 1; Key West Fla 1;
Mobile Ala:- 1; New Orleans- 1; Galveston Tex- 1;
St Louis Mo- 1; Chicago Ill- 1; Louisville Ky 1;
Cincinnati O- 1; Milwaukee Wis 1; Omaha Neb 1;
Detroit Mich- 1; San Francisco- 1;

The foregoing are places to which cigars have been shipped hence during the past year.

I further transmit, to the Treasury Department, 8 copies; to the Special Treasury Agency, New York, 1 copy- and to the State Department 1 copy,- reserving 10 copies for the use of this office and for supplying applications from other Revenue offices, in the United States, other than those above named.

The bill for the above mentioned Price Lists will be, as heretofore, sent direct to the Treasury Department.

I have the honor to be, Sir, very respectfully,

Your Obedient Servant,

Henry C Hall

Consul General.

DEPARTMENT OF ST.
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Acks
Atte. 27/82 D. St. Clair

N° 1122. U.S. Consulate General

Havana, April 12th 1882.

Mr Hall, to the

Department of State.

Receipt of Instructions

Acknowledging the receipt of instructions Nos 646, 647 and 648 of the 3d, 5th and 6th instant. relating respectively to the case of the steamer Santiago - to the transfer of Mr Clarence C. Ford from the Commercial Agency at Remedios to the Consulate at Sagua la Grande - and to the claim of Mr Miguel de Aldama.

N° 1122. U. S. Consulate General

Havana, April 12th 1882.

Hon J. C. Bancroft Davis-

Assistant Secretary of State.

Washington.

Sir:

I have the honor to acknowl=
=edge the receipt of your instructions
N°s 646, 647 and 648 of the 3d, 5th
and 6th instant, relating respect=
=ively, N° 646 to the case of the
steamer "Santiago", N° 644 to the
transfer of Mr Clarence C.
Ford, Commercial Agent at
Remedios to the Consulate
at Sagua la Grande and
N° 648 to the claim of Mr
Miguel de Aldama against

the

the Treasury of Cuba, all of which will receive due and careful attention.

I am, Sir, very respectfully,

Your Obedient Servant.

Henry C. Hall

Consul General.

Ack'd Apr. 22/82 D. of State

No 1123 U.S. Consulate General

Havana, April 12th 1882.

Mr Hall, to the

Department of State.

Receipt of Circulars.

Acknowledging the receipt of the Department's circulars of the 4th January and 19th March 1882: the former enclosing a copy of the revised Rules and Regulations of the National Board of Health and the latter relating to the protection to be extended to Swiss citizens and to the reimbursement of expenses incurred.

No 1123. — U.S. Consulate General.

Havana, April 12th 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir: —

I have to acknowledge the receipt of the Department's circulars of the 4th January and 19th March 1882; the former, inclosing a copy of the Rules and Regulations as revised by the National Board of Health for securing the best sanitary condition of vessels coming to the United States; the latter relates to the protection to be extended to Swiss citizens, by the Diplomatic

and

and Consular officers of the
United States, at places where
no such officers of Switzerland
reside, and to the mode of reim
=bursement of expenses incurred
in extending such protection.

I have the honor to be, Sir,
very respectfully.
Your Obedient Servant
Henry C. Hall
Consul General.

DEPARTMENT OF STATE
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File

L

Dr McClair

No 1124. U.S. Consulate General.

Havana, ~~March~~ April 20th 1882.
1

Mr Hall, to the

Department of State.

Commercial Agency of Cárdenas.

Transmitting copies of correspondence with the Governor General of Cuba relative to the appointment of Mr Walter J. Townshend, to be Deputy Commercial Agent at the above port. Authorization has been given Mr Townshend to discharge the duties of his appointment temporarily.

Two inclosures.

No 1124. U.S. Consulate General.

Havana, ~~March~~ April 1 20th 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington

Sir:

With reference to your instruct=
=ion No 643 of the 7th ultimo, relating
to the appointment of Mr Walter
T. Townshend to be Deputy
Commercial Agent of the United
States at the port of Cardenas, I
have to inform the Department
that the usual temporary
authorization has been granted
to Mr. Townshend, to discharge
the duties of his office pending
the definite approbation of the

Government of Spain.

Copies of correspondence with the General Government, relating to the above subject, are transmitted herewith, the communication from the Secretary General, although dated the 12th, was not received until the 18th instant.

1/2

I have the honor to be, Sir,

very respectfully-

Your Obedient Servant.

Henry C. Hall

Consul General.

Inclosures

1. Mr Hall to the Governor General March 17th 1882.

2- The Secretary General to Mr. Hall- April 12th 1882.

Inclosure No 1.-

With Dispatch No 1124-

Havana, March 20th 1882.

Copy.

Consulate General of the United States of America at Havana

March 17th 1882.

To His Excellency-

the Governor General-

&c &c &c

Excellency:

I have the honor to inform Your Excellency, that Mr Walter J. Townshend, has been appointed Deputy Commercial Agent of the United States at Cardenas and that I have been instructed, by the Department of State of my

my Government, to solicit
of Your Excellency permission
for him to act in that capacity,
pending his definite recognition
by the Government of S. M. for
which application will be made
through the Legation of the
United States at Madrid.

I improve this occasion to
renew to Y.E. the assurances of
my respect and most distin-
guished consideration.

(Signed) Henry C Hall
Consul General.

Inclosure No 2
With Dispatch No 1124-
Havana, April 20th 1882.

Translation.
General Government
of the
Island of Cuba.

Secretary's Office -
Political Bureau.

His Excellency the Governor General, by resolution of yesterday's date; has been pleased to admit Wm Walter J. Townshend to the use and exercise of his duties as deputy Commercial Agent ad-int of the United States at the port of Cárdenas it being understood that the measure is of this character until he shall receive the corresponding Royal Exequatur to his appointment.

Which

Which by orders of H.E. I have the honor to state to YH for your information and corresponding effects.

× × × ×

Habana, April 12th 1882

Mariano Diaz de la Quintana

To the Consul General of the United States of America.

Copy.

Copy.—

Gobierno General de la
Isla de Cuba.
Secretaria
Seccion de Politica

El Exmo Señor Gober
=nador General en acuerdo del
dia de ayer, se ha servido admitir
á Mr Walter J. Townshend al
uso y ejercicio de sus funciones
como Agente Comercial delegado
interino de los Estados Unidos en
el puerto de Cárdenas, entendiendose
la medida con este carácter, hasta
tanto recaiga á su nombramiento
el Regium Exequatur correspondiente

Lo que de órden de S.E.
tengo el honor de participarlo á
VS. para su conocimiento y
efectos correspondientes.

Dios guarde á VS mt. a.
Habana, Abril 12. de 1882.
Mariano Diaz de la Quintana

Señor Consul Gral de los Estados
Unidos de America. — — —

file

DEPARTMENT OF STATE
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Dr St Clair

A. de

No 1125. U.S. Consulate General.
Havana, April 21st 1882.

Mr Hall, to the
Department of State.

Consulate of Sagua la Grande.

Informing the Department that Mr Clarence C. Ford appointed Consul of the United States at Sagua la Grande has been authorized to take charge of that office, pending the receipt of his Exequatur.

3 Inclosures.

Nº 1125 U.S. Consulate General

Havana April 21st 1882

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

Recurring to your instruction Nº 647 of the 5th instant, I have the honor to inform the Department that Mr Clarence C. Ford, appointed Consul of the United States at Sagua la Grande, has been duly recognized, in that capacity by the Superior Authority of this Island, and authorized to discharge the duties of his office, provisionally, pending the receipt of his Exequatur from the Government of Spain.

I inclose copies of correspondence with the Governor General in relation to this subject 1/2 and a copy of the communication addressed to Mr Ford, extending 3/

to

to him the recognition and authorization referred to.

Mr Ford assumed charge of the Consulate office at Saguá yesterday, 20th instant.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

Henry C Hall

Consul General.

Inclosures.

1. Mr Hall to the Governor General April 11th 1882.
2. The Secretary General to Mr Hall April 19th 1882.
3. The Secretary General to Mr Clarence C. Ford April 19th 1882.

Inclosure Nº 1.
With Dispatch Nº 1125.
Havana April 21st 1882
Copy.

Consulate General of the United States of America, at Havana.

April 11th 1882.

To His Excellency the Governor General.

&c &c &c

Excellency:

By instruction of the Department of State, of the United States, the under=-signed has the honor to inform Your Excellency, that Mr. Clarence C. Ford, now Commercial agent at Caibarien, San Juan de los Remedios, has been appointed Consul of the United States at Sagua la Grande.

The undersigned is also instructed to request that Y.E. will be pleased to extend

to Mr Ford the usual temporary recognition and authorization to discharge the duties of his office at Laguna la Grande, pending the receipt of his Exequatur — which has been solicited through the Legation of the United States at Madrid.

The undersigned has the honor to renew to Y& the assurances of his high personal esteem and most distinguished consideration.

(signed) Henry C Hall
Consul General.

Inclosure Nº 2.

With Dispatch Nº 1125.

Havana April 21st 1882

Translation.

General Government of the Island of Cuba.

Secretary's Office

Political Bureau

His Excellency the Governor General by resolution of the 13th instant has been pleased to admit Mr Clarence C Ford to the use and exercise of his duties as Consul ad-int of the United States at Sagua la Grande, it being understood that this measure is of a provisional character pending

pending the issue of the Regium Exequatur to his appointment.

Which by order of His Excellency, I have the honor to transcribe to Y H for your information and in answer to your attentive note of the 11th instant.

× × × ×

Habana, 19th April 1882.

M. Diaz de la Quintana

To the Consul General of the United States of America.

&c &c &c

Copy.

Copy.

Gobierno General de la
Isla de Cuba
Secretaria.
Seccion de Politica
Personal.

El Excmo Señor Gobernador General, en acuerdo de 13 del actual se ha servido admitir á Mr Clarence C Ford, al uso y ejercicio de sus funciones como Cónsul interino de los Estados Unidos en Sagua la Grande, entendiendose la medida con este carácter hasta tanto recaiga á su nombramiento el Regium Exequatur correspondiente.

Lo

Lo que de órden de S. E. tengo el honor de trasladar á V.S. para su conocimiento, demas efectos, y en contestacion á su atenta nota de once de los corrientes

Dios guarde á V.S. ms. as.

Habana 19 de Abril de 1882.

(Signed) M. Diaz de la Quintana

Sor Cónsul General de los Estados Unidos de America

Inclosure No 3.

With Dispatch No. 1125

Havana April 21st 1882.

Translation.

General Government of the Island of Cuba.

Secretary's Office.

Political Bureau.

His Excellency the Governor General by resolution of the 13th instant has been pleased to admit you to the use and exercise of your duties as Consul adjunct of the United States of America at Sagua la Grande with the understanding that the measure is of the provisional character pending the receipt of

of the Regium Exequatur to your appointment.

Which by orders of H.E., I have the honor to participate to you, for your information and due effect.

× × × ×

Habana 19th April 1882.

M. Diaz de la Quintana

To the Consul ad-int of the United States of America at Sagua la Grande Mr Clarence C. Ford.

copy

Copy.

Gobierno General de la
Isla de Cuba.

Secretaria.

Seccion de Politica.

Personal.

El Exmo Señor Gob=
=ernador General en acuerdo
de 13 del actual, se ha servido
admitir á Vd. al uso y ejercicio
de sus funciones como Consul
interino de los Estados Unidos
de América en Laguna la Grande,
entendiendose la medida con
este carácter, hasta tanto recaiga
á su nombramiento el Regium
Exequatur correspondiente.

Lo que de órden de.

S. E.

S. E. me honro en participar á
Vd para su conocimiento y demas
efectos.

Dios gue á Vd muchos años

Habana 19 de Abril de 1882

M Diaz de la Quintana,

Sor Cónsul interino de los Estados
Unidos de America en Laguna
la Grande, Mr Clarence E. Ford

Dr St Clair

File

DEPARTMENT OF ST
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No 1127. U.S. Consulate General.

Havana, April 20th 1882.

Mr Hall, to the

Department of State.

Receipt of instruction..

Acknowledging the receipt of instruction No. 648 of the 11th instant, returning the original certificate of the Collector and Auditor of Customs at Cienfuegos dated 3d October 1881, as to the cargo discharged from the American steamer "Santiago".

No 1127. U.S. Consulate General.

Havana, April 21st 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I have the honor to acknowl=
=edge the receipt of your instruction,
No 648 of the 11th instant, accompa=
=anying the original certificate of
the Collector and Auditor of
Customs at Cienfuegos, as to the
number of packages discharged
from the American steamer
"Santiago" in that port in
September 1881 - which certificate
was transmitted to the Depart
=ment with Mr Williams dispatch
No 1096. of 25th January, and

its

its return, to this office, requested
in my dispatch N° 1120 of the
31st March ultimo.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

Henry C. Hall

Consul General.

Dr St Clair

APR 27 1882 RECEIVED

No 1126. U.S. Consulate General.

Havana, April 21st 1882.

Mr Hall, to the

Department of State.

Commercial Agency of Cárdenas.

(See 230 Desp. from Legation at Madrid)

The Minister of State at Madrid, through the General Government of Cuba, requests that the Commission or Certificate of appointment, of Mr José O. Hernandez, appointed Vice Commercial Agent at Cardenas, be forwarded to the Ministry, it being an indispensable requisite for his definite recognition in that capacity.

One inclosure.

N° 1126. U.S. Consulate General.
Havana, April 21st 1882.

Hon J.C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

I transmit herewith a copy and translation of an official letter from the Secretary of this General Government requesting, on the part of the Minister of State at Madrid, the presentation of the Commission or Certificate of appointment of Mr Joseph O. Hernandez, to be Vice Commercial agent of the United States at the port of Cardenas in this Island; the presentation of the said document being an indispensable requisite, previous to extending to Mr Hernandez the definite authorization, of the Government of Spain, to discharge the duties of his appointment.

Recurring

Recurring to the Depart=
=ments instruction N°621 of the 25th
October 1881, directing me to apply
for the temporary recognition of
Mr Hernandez, it appears that
the formal Exequatur to Mr Hernandez'
appointment, had been applied
for through the United States Legation
at Madrid, at which time the cert=
=ificate of appointment was probably
sent. I would therefore respectfully
suggest that if the certificate has
been so forwarded that the
Legation be instructed to present
it - as requested in the accompany=
=ing communication from this
General Government.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant

Henry C Hall
Consul General.

Inclosure.
1 - The Secretary of the General
Government of Cuba to Mr Hall, April 18th
1882.

Inclosure N°. 1
With Dispatch N° 1126.
Havana, April 21st 1882.
Translation.

General Government of the
Island of Cuba.
Secretary's Office.
Political Bureau.

The Ministry of Ultramar, under date of the 18th March ultimo, the following Royal order is communicated to His Excellency the Governor General.

"The Ministry of State, under date "of the 18th March ultimo, communi- "cates to His Excellency the Governor "General, the following.

"Excellency: By Royal order "communicated by the Ministry of "State, in answer to the communi- "cation of that Ministry of the 1st "instant remitting the personal "antecedents of Mr José O. Hernandez "Commercial Agent ad-int of the

United

"United States in temporary charge
"of the Vice Consulate (Commercial
"Agency) of that Republic in
"Cardenas, I have to inform Y.E. that
"in order to grant the party interested
"definite authorization to discharge the
"duties of Vice Consul (Vice Commercial
"Agent) the presentation of his
"Commission, (certificate of appointment)
"is an indispensable requisite, I have
"to request Y.E. will be pleased to give
"the necessary orders, to the Governor
"General of the Island of Cuba, for the
"transmission of the said document
"to this Ministry, through the
"medium that Mr Hernandez may
"consider the most prompt and safe.
"By Royal order, communicated
"by the Ministry of Ultramar, I transcribe
"it to Y.E. for the purposes herein before
"mentioned"

And accorded by H.E. under date of the 7th instant, compliance with the foregoing sovereign order, I have the honor to transcribe it to Y.H., requesting

requesting that you will please remit
the Commission referred to.

× × ×

Habana, April 18 de 1882.
Mariano Diaz de la Quintana

To the Consul General of the
United States of America.

&c &c &c.

Copy.

Gobierno General de la
Isla de Cuba
Secretaria
Seccion de Politica
Cónsules

Por el Ministerio de Ultramar
con fecha 18 de Marzo ultimo, se
comunica al E. S. Gobernador Gral
la Real órden siguiente:

"Excmo Señor:

Por el Ministerio de
"Estado se dice á este de Ultramar
"con fecha 15 del actual, lo que sigue:
"Esmo Señor. De Real órden &c

"comunicada por el Sor Ministro de
"Estado y en contestacion á la de ese
"Ministerio de fecha 1° del actual, en
"remitiendo los antecedentes personales
"de Dn José V. Hernandez, Agente
"Comercial interino de los Estados
"Unidos, que desempeña provisional-
"mente la Vice Consulado (agencia
Comercial) de aquella República
"en Cárdenas pongo en conocimiento
"de VE que siendo circunstancia
"precisa para conceder al interesado
"la autorizacion definitiva para que
"pueda desempeñar el cargo de Vice
"Consul (Agente comercial) la present-
"acion en este Ministerio de la
"oportuna Patente, ruego á VE.
"tenga á bien dar las órdenes
"necesarias al Gobernador General
"de la Isla de Cuba para que se
"sirva disponer la remision á este
"Ministerio de dicho documento por
"el conducto que el Señor Hernandez
"juzgue mas pronto y seguro.
"De Real Orden comunicada
por

"por el Sõr Ministro de Ultramar,
"lo traslado á VE a los efectos que
"se espresan en el anterior inserto."

Y acordado por S. E con
fecha siete del actual el cumpli=
=miento de la preinserta soberana
disposicion, de su órden tengo el
honor de trancribirla á VS. á fin
de que se sirva remitir la Patente
que se solicita.

Dios gue á VEmd años.
Habana Abril 18 de 1882.
Mariano Diaz de la Quintana

Sõr Cónsul General de los Estados
Unidos de America.

TELEGRAM RECEIVED.

Sent by Telegram Apr 27. 82

DEPARTMENT OF STATE, APR 27 1882 RECEIVED.

FROM Havana

April 27 1882

Assistant Secretary of State,

Washington.

Will my Commission be sent here? If no objection would like to deliver this Office next week to Williams, Vice Consul, who will deliver to my Successor.

Hall

Received _____ 188 , , M

Operator.

MAY 4 1882 RECEIVED

Certificate returned June 1/82 Ack'd May 13/82

No. 1128. U.S. Consulate General

Havana, April 28th 1882.

Mr Hall, to the

Department of State.

Commercial Agency of Cardenas.

Accompanying the certificate of appointment of Mr Joseph O. Hernandez, Vice Commercial Agent at Cardenas, for transmission to the Minister of State at Madrid.

No 1128. U.S. Consulate General.

Havana, April 28th 1882.

Hon J.C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

With reference to my dispatch No 1126 of the 21st instant, I enclose herewith, for transmission to Madrid, the Certificate of appointment of Mr Joseph O. Hernandez, Vice Commercial Agent of the United States at the port of Cardenas, the presentation of this document having been required by the Spanish Minister of State.

The document has

been

been forwarded to me by Mr Hernandez to whom, it appears, it was sent direct at the time of his appointment.

I have the honor to be, Sir,

very respectfully -

Your Obedient Servant.

Henry C. Hall

Consul General

Enclosure -

Certificate of appointment as above dated 1st July 1881.

Instructions to Porto Rico.

How did we come to send this case to Cuba? Judge Clayton's draft was addressed P.R.

DEPARTMENT OF STATE
MAY 10 1882
RECEIVED

Dr. St Clair

Ans'd May 13/82
See Inst. to P.R.

No 1129. U.S. Consulate General.

Havana, May 1st 1882.

Mr. Hall, to the

Department of State.

Fines on vessels.

Acknowledging receipt of instruction No 649 of the 15th instant accompanying a letter from the owners of the American Schooner "Hortensia" transmitted to the Department by the Honorable A.A. Raney of the House of Representatives - in relation to fines imposed on that vessel in the Spanish Island of Porto Rico.

The

The Governor General of Cuba has no Jurisdiction in Puerto Rico.

No 1129. U.S. Consulate General.

Havana, May 1st 1882

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I have the honor to acknowledge the receipt of your instruction No 649, of the 15th ultimo, enclosing a copy of a letter from Messrs Wm Pope and Sons of Boston, addressed to the Honorable A. A. Raney of the House of Representatives, in relation to certain fines imposed on their vessels by the Customs authorities of the Island of Porto Rico - and I regret to inform you that I am unable to carry out

this

this instruction, for the reason that the Jurisdiction of the Governor General of Cuba does not embrace the other Spanish island, which is, like Cuba, governed directly from Spain through a Governor and Captain General with powers similar to those of the same Authority here. I would, therefore, respectfully suggest that the present complaint be referred to the Consul at San Juan - Porto Rico, and to the Legation at Madrid.

In connexion with the subject of your instruction, I beg to refer to my dispatches Nos 1032. Nº 1041 and Nº 1043, of the 6th, 20th and 31st August and Nº 1071 of the

15th

10th November 1881 relating, in part, to the fines of 500 dollars each imposed on the American Schooners "Oretta" and "Richmond" at the port of Baracoa, in this Island, in July of that year, for the same trivial irregularity of which the Messrs Pope complain. Those fines were revoked by the then Governor General Blanco, as reported in my No 1043, and after some delay, the amounts were paid back; since then I am not aware that any fine has been imposed at any port in this Island, on any American vessel, for a similar irregularity.

The Customs Ordinances of Porto Rico are the same as

those in force here; experience
is fast demonstrating the im-
=practicability of their enforce-
=ment here, indeed anything
more complicated or vexatious
could hardly have been devised.
Before their adoption, vessels
coming from ports, where no
Spanish Consular officer resides,
were required to have their mani-
=ifests verified by three resident
Merchants; this had been the
practice from time immemorial,
under the new regulations it was
changed, and instead of the veri-
=fication by three merchants that
of the local Customs authorities
is now required — of which, as
alleged in Captain Sanborn's
letter

letter, due notice of the change was not given — and although the master may comply with the old regulation, if he fails to comply with the new, he is liable to the exhorbitant fine of 500 dollars.

I am, Sir, very respectfully,

Your Obedient Servant.

Henry C Hall

Consul General.

D. State

DEPARTMENT OF STATE
MAY
10
1882
RECEIVED

No 1130. U.S. Consulate General

Havana, May 2nd 1882.

Mr Hall, to the

Department of State.

Receipt of instructions and Circulars.

Acknowledging the receipt of instruction No 650 of the 22nd ult, and the Department's circulars of the 13th, 20th and 12th April 1882, the latter, unofficial.

No 1130 U.S. Consulate General

Havana, May 2d 1882.

Hon J.C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I have the honor to acknowledge the receipt of your instruction No 650 of the 22nd and of the Department's circulars of the 12th, 13th and 20th April 1882.

The circular of the 12th is unofficial and accompanies an appeal, inviting contributions to aid in the erection of a National Hospital at Washington as a memorial of the late President Garfield.

The circular of the 13th

ultimo instructing consular officers to give duplicate receipts to masters of American and foreign vessels for moneys received for official services, will have careful attention.

The Circular of the 20th ultimo which relates to the unwarranted display of Consular Coats of Arms by Vice and Deputy Consular officers, is not applicable to this office, no such abuse, to my knowledge, having ever existed here.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

Henry C Hall

Consul General.

Dispatches

File

DEPARTMENT OF STATE
MAY
10
1882
RECEIVED

No 1153

U.S. Consulate General

Havana May 2 1882

Mr Hall, to the

Department of State,

Transmitting returns, and accounts for clerk hire, and miscellaneous expenses, for the 1st quarter of 1882

---

2 inclosures.

No 1131.

U.S. Consulate General.

Havana May 2nd 1882.

Hon:

J. C. Bancroft Davis,

Asst Secretary of State

Washington D.C.

Sir:

I have the honor to transmit herewith, the following accounts for clerk hire, and miscellaneous expenses at this Consulate General for the quarter ended Mar. 31-1882:

Inclosure No 1: Account for Extra Clerk Hire, to L. V. Schmidt $375-
" Jose Calvo " 90-
" L. Betancourt " 35. $500- 1/

Inclosure No 2: Account for Miscellaneous Expenses: Rent $300.
Stationery & Printing 143.71
Postage &c " 64.85
Boat Hire " 81.50
Subscriptions to Havana journals 67.58
Over $657.64 $500- 2/

Ag't

Brought over ₤657.64.₰500-

Telegram Expenses " 3.20 " 660.84

₤ 1.160.84

The above amounts have been debited to the United States in my account current for 1st quarter of 1882, which shows a balance due to the United States of ₤1.293.75 which has been remitted to the Treasury.

Very respectfully

Your obedient servant,

Henry C. Hall

Consul General

2 inclosures

Telegram

DEPARTMENT OF STATE
MAY 3
1882
RECEIVED

Havana May 3. 1882.

~~Hon~~ Hon. Frelinghuysen Secretary of State,

Washington D. C.

Telegram 27th ultimo received.
Have arranged to leave the Sixth
for New York. Williams Vice
Consul General in Charge, will
deliver office to my successor.
I trust, for your approval.

Hall.

/ Hall - Consul - Havana -

Attempt

Davis

Sent 5m May 3. 1882.

DEPARTMENT OF STATE
MAY
12
1882
RECEIVED

Ack'd
May 13/82

D'H Clair
+
Mader

No 1132. U.S. Consulate General.
Havana, May 5th 1882.

Mr Hall, to the
Department of State.

Appointment of the writer to be Minister Resident of the United States to the Central American States.

Transmitting copies of telegrams between the Department and the writer, and in virtue of the authority given him he surrenders this office to the Vice Consul General, Mr Williams and will proceed to Washington to receive instructions.

No 1132. U.S. Consulate General.
Havana, May 5th 1882.

Hon J.C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

With reference to my appoint-
-ment to be Resident Minister of the
United States to the Central American
States, I addressed you, on the 27th
ultimo, the following telegram:

"Assistant Secretary of State-
"Washington. Will my new com-
"-mission be sent here? If no
"objection would like to deliver
"this office next week to Mr Williams,
"Vice Consul, who will deliver it to my
"successor." signed - Hall.

To which I received, on the same day,
the following answer.

"Washington, April 27th 1882.
"Hall - "Consul General - Havana.
"Telegram received - Secretary thinks
"you had better come to Washington
first

"first - come as soon as possible to get
"personal instructions. (signed) Davis.
On the 3d instant I again addressed
you as follows:

"Assistant Secretary of State.
"Washington - Telegram 27th ultimo
"received - Have arranged to leave
"the sixth for New York - Williams
"Vice Consul General, in charge, will
"deliver office to my successor. I
"trust for your approval."

To the above I received on the same
day, 3d instant, the following:

"Washington, May 3d 1882.
"To Hall Consul General - Havana -
"All right - (signed) Davis.

In virtue of the foregoing authori-
-zation I propose to sail for New York
tomorrow in the steamer "British Empire"
and shall report personally to the Depart-
-ment, at the earliest moment possible.

I have the honor to be, Sir,

very respectfully
Your Obedient Servant
Henry C Hall

DEPT. OF STATE
MAY
12
1882
RECEIVED

Ack 8
May 13/82

D. H. Claiborne

No 1133. U.S. Consulate General

Havana, May 6th 1882.

Mr Hall, to the

Department of State.

Delivery of this office to Mr Williams, Vice Consul General.

Transmitting an inventory of the property of the United States in this Consulate General and the joint certificate of the writer and Mr Ramon O. Williams, Vice Consul General as per form No 5.

No 1133. U.S. Consulate General

Harana, May 6th 1882

Hon J.C. Bancroft Davis

Assistant Secretary of State.

Washington.

Sir:

Referring to my dispatch No 1132 of the 5th instant, I have now to transmit the inventory of the property and effects of this office and the usual Certificate as per form No 5 signed by the Vice Consul General Mr Williams and myself; Mr Williams assuming charge on this day.

I have the honor to be, Sir, very respectfully

Your Obedient Servant

Henry C Hall

Inclosure.

1 - Inventory of the property and effects of the Consulate General at Harana. Certificate form No 5 dated May 5th 1882.

Inclosure No 1.

With Dispatch No 1133.

Havana, May 6th 1882.

From Dis

Consulate General of the United States at Havana, May 6th 1882.

We certify that on this 5th day of May, the services of Henry C. Hall ceased and that he is entitled to his salary or fees including said day: and that the services of Ramon O'Williams commenced on this day he having received the Archives, a full and complete inventory of which is hereto annexed as required by the Consular Regulations Article IX.

Henry C Hall
Ct Consul General

Ramon O. Williams
U.S. Vice Consul General

Archives and other property of the Consulate General of the United States at Havana, Island of Cuba, delivered by Mr Henry C. Hall, Consul General to Mr Ramon O. Williams Vice Consul General on the 1st day of May 1882.

Five large chests containing records of all kinds from the time when the office was styled Commercial Agency. ✓

Correspondence from the State Department to the Consulate General for the years 1851 to 1881 both inclusive. √

---

15 – fifteen small trunks containing – containing the following –

Files of correspondence from sundry offices and officers of the United States:

Files of correspondence from ✓

Consulars officers in the Island and from private individuals.
Files of correspondence with the Spanish Authorities and officials. Ups to the year 1881 inclusive.

List of books of Record.

21	Seamen's Books.	1853/1882.
4	Arrivals and departures of American vessels.	1855/1882.
5	Invoice books.	1853/1882.
24	Ship's daily Journals	1852/1882.
1	Passport book	
3	Quarterly statement of fees	1857/1882
9	Books copied correspondence with the Department of State.	1857/1876
6	Books, Extended protests	1857/1882
15	Books, Notes of Marine protest.	1857/1882.
12	Treasury fee Books	1857/1882
2	Record of Debenture certificates.	1869/1882
3	General Record books	
1	Register for official letters received.	

1 Register of official letters sent.
1 Register of seamen.
2 do Account Currents for seamens accounts.
1 Book return of vessels and fees from [illegible] 1855/1866.
1 Book depositions and investigation of charges against seamen.
61 Press copy books of correspondence. some of which is yet to be copied in the register books of the State Department.
Miscellaneous and with Consular officers of the Island.
Spanish and local Authorities.
Inclosures with dispatches to the State Department.
Copies of certificates of citizenship.

—Printed Bound Books.—

32 Volumies American State papers.
Viz Commerce and Navigation 2
Foreign relations 3

brought over	5
Finance -	3
Claims -	1
Indian affairs -	1
Naval	1
Public Lands	8
Patent Office	1
Military affairs	7
Miscellaneous	5
	32

United States Statutes at large 17 vol.
do do Index 1 "
do do unbound 9 Nos.
Revised Statutes 2 Vols

Diplomatic Correspondence	132 Volumes
Executive Documents.	229 "
Senate do	214 "
Commercial relations	28 "
Commerce & Navigation	8 "
Annals of Congress.	48 "
House Journal	22 "
Miscellaneous	26 "
Senate miscellaneous	6 "
Miscellaneous Documents	6 "

Report

	Volumes.
Report of Secretary of War	6
Smithsonian report	3
Report of Court of Claims	13
Financial report	5
Contested Election	1
Report of the Conduct of the War.	1
" " " Secretary of the Interior	3
" " " " " Navy	3
Senate Reports	5
" Journal	13
Presidents Message & Doc.s	3
Assassination President Lincoln	1
U.S. Military Laws.	1
Laws of the U.S. Navy	3
" " U.S. of A.	3
Report of U.S. Coast surveys	6
Census of the United States	4
House list of Private claims	3
Annual Report of Secretary of State	1
Andrew's report	3
Patent Office Reports	14
Messages and Documents	5
Penal codes	1
Agricultural Reports	6.

Owen's survey-	2	Vols.
Fremont's Expedition -	1	"
U. S. Official Registers	18	"
Report of P. M. General	3	"
Consular Manuals	5	"
Correspondence British Minister &c	2	"
Letters of Secretary of State	1	"
Exploration and Survey of the Mississippi River	1	"
Register of U. S. Navy	3	"
Elliotts Diplomatic Code	2	"
Abbott on Shipping	1	"
Foreign Office List British	1	"
General Instructions to Consuls	2	"
Reports of Committees	46	"
Foreign relations of U. S.	1	"
American Archives	9	"
Report Commissioner General Lands Office	1	"
Vattel's Law of Nations	1	"
Holy Bible	1	"
Spanish & English Marine Dictionary.	2	"
Navy Regulations	2	"

U.S. Tariffs	4	Vols.
U.S. National Register	1	"
Regulations under Revenue Laws	1	"
Wheaton's International Law	1	"
Report U.S. Public Lands	2	"
Navy Register	1	"
List Diplomatic & Consular Officers.	2	" ✓
Heyl's Rate on Import Duties	2	"
List of Light houses	1	"
Ordnance contracts	1	"
Trial Henry Wirz	1	"
" John Surratt	1	"
Mineral Resources of U.S.	1	"
Mexican Affairs	2	"
Appendix Report Secretary of War.	2	
Report of Commissioner of Patents.	2	
Escriche Diccionario de Jurisprudencia	1	
Webster's Unabridged Dictionary	1	
Sundry account books containing personal and other accounts		
Sundry pamphlets on various subjects.		
Globe newspapers.		

List of Furniture

Desks	6
Large double book case -	1
Small book case -	1
Iron safes - one large - one small.	2
Sofa -	1
Chairs 4. Rocking 2. Arm or 4 common	
Marble top wash stand & looking glass.	1
Press table with iron press.	1
Clock.	1
Hat tree.	1
Water cooler.	1
Book cases escaparate.	1
Large double book case, escaparate.	1

Miscellaneous

Fac-simile Declaration Independence,
Portraits, Washington, Grant &
Seward.
2 large chests contents as per lists
3 coats of arms.
1 coin scale and weights
1 letter weight
2 Flags
2 Consular seals.

Harana

Havana Commercial Agency seal

Additional

Regulations for the entry and appraisement of merchandise and the assessment of duty for 1869.

Daily Bulletin of Official Signal Service of the United States 1872.

Labor in Europe and America by Young - 1876.

Register of names &c of citizens of the United States visiting and residing in Havana, or other parts of the Island.

from 1868 to date —	3
Indexes to the above	2
Book of Registers in Blank	1.

---

1. Book, unbound, "Opinions of the principal officers of the Executive Department

---

Several files of the principal newspapers of Havana.

---

1 Book.- Postal Laws and regulations for the year 1873.-

6 do Geological Surveys by Hardy 1869./1872.

---

1 " Penal Codes of Europe.

---

1 " Hamersly's Naval Enciclopaedia 1881.

---

1 " List of sugar estates in Cuba.

1 " Invertebrata of Massachusetts

1 " Maritime Law by Dixon

1 " Geografia de la Isla de Cuba by Pichardo.

1 " Record of living officers of the U.S. Navy.

2 " Report of Post Master General. 1875/76.

1 " McCall's Clerk's Assistant

1 " of forms.

1 " Treaties and Conventions.

between

between the United States
and other Powers.

1 Book "Report of the Cincinnati
Chamber of Commerce
1 " U.S. Customs Regulations
for the year 1874.
1 " Report of Chamber of
Commerce New York.
1 " Centennial History of
Fall River -
1 " "Gragitena Guia del
empleado de Hacienda."
1 " Transactions of the New
York Agricultural Society.
1 " Report on Foreign Commerce
1878.
5 " Bocardis Nuevo Colon.
1 " Pozos Dulces on
Agriculture.
1 " Kimmes Law Compendium

---

9 Boxes containing files of triplicate
invoices for the years 1868 to 1879.
1 do " " " 1880 to 1881.
1 do " " " 1881 to 1882.

Consulate

Consulate General of the United States of America, at Havana, Island of Cuba.

We certify, on this 5th day of May 1882., that the foregoing is a correct Inventory of the Books, Papers and other effects belonging to this Consulate General, and they are hereby this day turned over by Henry C. Hall, Consul General to Ramon O. Williams, Vice Consul General.

Henry C Hall
U.S. Consul General.

Ramon O. Williams
Vice Consul General.

file

DEPARTMENT OF STATE
MAY
16
1882
RECEIVED

Ans. Claim

No 1134 — U.S. Consulate General
Havana, May 10th 1882.

Mr Williams, to the
Department of State.

Departure of Mr Henry C Hall, late Consul General of the United States at this port.

Transmitting copy and translation of a letter from the Governor General of this Island addressed to Mr Hall, dated the 5th instant, upon his withdrawal hence.

One Inclosure.

No 1134. U.S. Consulate General
Havana, 10th May, 1882.

Hon J.C. Bancroft Davis.
Assistant Secretary of State.
Washington

Sir:

For the information of the Department, I beg leave to forward, herewith, translation of a letter addressed by His Excellency, the Governor General of the Island, to Mr Henry C. Hall, the outgoing United States Consul General of Havana, in which His Excellency, has been pleased to express his sentiments of friendship towards Mr Hall, on his withdrawal from this office to occupy the higher post of U.S. Minister to the Republics of Central America.

I have the honor to be, Sir-
Very respectfully-
Your Obedient Servant.
R. O. Williams
Vice Consul General.

Inclosure

Inclosure-

1 ___ Copy and translation of a communication from the Governor General of Cuba to Mr. Hall - May 5th 1882.

Inclosure No 1
With Dispatch No 1134.
Havana, May 10th 1882.
Translation.

The Governor General
of the Island of Cuba

Personal.

To the Consul General of the
United States.

&c &c

I have received Y Hs
attentive official communication,
in which you advise me that,
promoted by your Government to
the post of Minister Resident to
the Republics of Central America,
you embark tomorrow for the
United States, leaving the Consul=
=ate General in charge of the Vice
Consul General Mr Ramon O.
Williams, until the arrival
of your successor.

Thanking Y. H. for

this deferent attention: I beg to express my congratulation in regard to the promotion you have attained in your career, regretting at the same time that this circumstance should cause your separation from a place the duties of which you have so well performed and in which on the many occasions and business matters I have had to confer with you, you have always endeavored to maintain the greatest degree of harmony and good understanding which characterize the friendly relations existing between our respective Nations.

× × ×

Havana 5th May 1882

Luis Prendergast.

Copy

Copy.

El Gobernador General
de la Isla de Cuba.
Particular.

Señor Cónsul General de los Estados Unidos.

&c &c

He recibido la atenta carta oficial de VS. de hoy, participando me que promovido por su Gobierno al puesto de Ministro cerca de las Repúblicas de la America Central; embarca VS mañana para los Estados Unidos, dejando el Consulado General á cargo del Sr. Vice Consul Mr. Ramon O Williams hasta la llegada de su sucesor.

Al dar á VS las gracias por esta deferente atencion, me congratulo por el justo adelanto que VS. esperimenta en su carrera: sintiendo junta =mente que este motive su separacion

de

de un puesto donde tan buenos
servicios ha venido prestando,
y en el que en cuantas
ocasiones y asuntos he tenido
que ocuparle; ha procurado
mantener la mayor armonia
é inteligencia propias de las
buenas y amistosas relaciones
que existen entre nuestras
respectivas Naciones.

Dios gue á V.S.m.d a.s

Habana 5 de Mayo de 1882.

Luis Prendergast.

DEPARTMENT OF STATE
MAY
16
1882
RECEIVED

appointment Williams
Woodbury Polleys
D. H. Blair

No 1135. U.S. Consulate General
Havana, May 10th 1882.

Mr Williams to the
Department of State.

appointment of Mr Woodbury H. Polleys as Commercial Agent of the United States at the port of Caibarien in this Island.

Transmitting a copy and translation of a telegram from Mr Polleys stating that Mr José G. Fuentes, in charge of the above agency had refused to deliver up the office and its appurtenances until the former should be authorized to discharge the duties of same by the Governor General of this Island — which authorization has been obtained and transmitted to Mr. Polleys as per annexed copies and translations.

inclosures

Nº 1135 U.S. Consulate General

Havana, 10th May, 1882.

Hon J. C. Bancroft Davis -

Assistant Secretary of State.

Washington.

Sir:

I have to report to the Department that I received a telegram dated the 8th instant at Caibarien from Mr Woodbury H. Polleys, recently appointed United States Commercial Agent at that place by the President. copy of which, with translation are herewith annexed, in which he notifies this Consulate that the Vice Commercial Agent in charge, Mr José G. Fuentes, refused to deliver to him the agency, in the absence of the proper authorization from the Governor General of the Island.

At my special request the Governor General has granted

provisional permission for Mr Polley to assume charge, as per copies and translations hereto annexed. 2/3

As yet this Consulate General has received no notice from the De=partment of Mr Polley's ap=point=ment, and I have based my action in the matter on the ap=plication to the Governor General, made by Mr Hall under date of 4th instant, which 4/ doubtless was done upon the showing by Mr Polleys to Mr Hall, on his recent passage through this place for Caibarien, the credentials issued to him by the Depart=ment.

I am, Sir, very respectfully-
Your Obedient Servant
R. O. Williams
Vice Consul General.

Inclosures-

1- Telegram from Mr Polleys May 8th 1882.
2- The Political Secretary to Mr Polleys " 9 "
3- The same to Mr Williams " 9 "
4- Mr Hall to the Governor General. " 4 "

Inclosure No 1
With Dispatch No 1135
Havana, May 10th 1882.
Translation.

Caibarien 8th May 1882.
Consul General of the United States

The Consul in temporary charge will not deliver to me until you communicate to him that permission has been granted me by the Capstain General to assume charge

Polleys.

Copy — "Caibarien 8 de Mayo de 1882.
"Consul General, Estados Unidos.
"Consul interino no quiere entregar
"hasta que V. le comunique haber
"concedido permiso el Capitan
"General para yo ejercer.
Polleys."

Inclosure Nº 2 -
With Dispatch Nº 1135 -
Havana May 10th 1882
Translation.

General Government of the
Island of Cuba.

Political Bureau.

Personnel.

His Excellency the Governor
General has under this date
been pleased to admit you to
the use and exercise of your duties
as Commercial Agent of the
United States at the port of
Caibarien with the understanding
that this measure is of a provision
=al character until you shall have
received the Regium Exequatur
corresponding to your appointment
which I have the honor to
communicate to you for your

information and satisfaction.

× × × ×

Harana, 9th May 1882

Mariano Díaz de la Quintana

To Woodbury H. Polleys Esq

Commercial Agent of the

United States at Caibarien.

Copy

Copy.—

Gobierno General de la Isla
de Cuba.
Secretaria.
Seccion de Politica.
Personal.

El Exmo Sr Gobernador General en acuerdo de hoy se ha servido admitir á VS. al uso y ejercicio de sus funciones como Agente Comercial de los Estados Unidos en el puerto de Caibarien, entendiendose ésta medida con el caracter de interino hasta tanto recaiga á su nombramiento el Regium Exequatur correspon-diente.

Lo que de órden de S.E. tengo el honor de manifestar á VS. para su conocimiento y satisfaccion.

Dios gue á VS. mo a.
Habana 9 de Mayo de 1882.
Mariano Diaz de la Quintana
Sr Dn Woodbury H. Polleys.
Agente

agente Comercial de los Estados
Unidos en Caibarien.

Inclosure no. 3-
With Dispatch No. 1135-
Havana May 10th 1882-
Translation.

General Government of the
Island of Cuba.
Political Bureau
Office of the Secretary
Personnel.

His Excellency the Governor General has this day decided to admit Mr Woodbury H Polley's to the use and exercise of his functions as Commercial Agent of the United States at the port of Caibarien with the understanding that this measure is of a temporary character until the Regium Exequatur of his appointment shall have been issued.

Which by order of H. E. I communicate to Y H. for your information and other effects.

× × ×

Havana, 9th May 1882.

Mariano Diaz de la Quintana

To the Vice Consul General of the United States.

Copy

Co/sy.

Gobierno General de la
Isla de Cuba.
Secretaria.
Seccion de Politica.
Personal.

El Exmo Sr Gobernador General en acuerdo de hoy se ha servido admitir á Mr Woodbury H Polley, al uso y ejercicio de sus funciones, como Agente Comercial de los Estados Unidos en el puerto de Caibarien, entendiendose ésta medida con el carácter de interina hasta tanto recaiga á su nombramiento el Regium Exequatur correspondiente.

Lo que de órden de S.E. manifiesto á VS. para su conocimiento y demas efectos.

Dios gue á V.S. m.s a.s.

Habana 9. Mayo. 1882.

Mariano Diaz de la Quintana

Señor Consul General de los Estados Unidos.

Inclosure No 4
With Dispatch No 1135
Havana, May 10th 1882
Copy.

Consulate General of the United States of America, Havana May 4th 1882.

To His Excellency the Governor General.

&c &c &c

Excellency:

I have the honor to inform Y.E. that Mr Woodbury A. Polleys has been appointed Commercial Agent of the United States for the port of Caibarien in the jurisdiction of San Juan de los Remedios in this Island, and that by order of my Government, I have to solicit of Y.E. the usual temporary recognition and authori=zation to enter upon the discharge of his official duties pending the definite appro=bation of the Government of His Majesty, which has been solicited through the Legation of the United States at Madrid.

I improve this opportunity

to

to renew to Y.E. the assurances of
my personal respect and most
distinguished consideration.

(signed) Henry C. Hall
U.S. Consul General.

DEPARTMENT OF STATE
MAY
16
1882
RECEIVED

Dale

Dr Flair

No 1136. U.S. Consulate General
Havana, May 11th 1882.

Mr Williams to the
Department of State.

Consular Agency of the United States at Trinidad, Island of Cuba.

Informing the Department that Mr José Palau y Magdaleno, appointed Consular Agent of the United States at Trinidad, has been authorized to take charge of that office by the Government of Spain.

No 1136. U. S. Consulate General.
Havana, May 11th 1882.

Hon J. C. Bancroft Davis-
Assistant Secretary of State
Washington.

Sir:

I have the honor to inform the Department that Mr. José Palau y Magdalena, appointed Consular Agent of the United States at Trinidad, in this Island, has been duly recognized, in that capacity by the Government of Spain as per accompanying copy and translation of a communication from the Secretary of the General Government of this Island, dated 29th april, ultimo.

I am, Sir, very respectfully-
Your Obedient Servant-
R. O. Williams
Vice Consul General.

Inclosure No. 1-
With Dispatch No 1136-
Havana May 11th 1882-
Translation.

General Government of the Island of Cuba-

Office of the Secretary-

Political Bureau-

Personnel.

By the Ministry of Ultramar, under date of 2nd instant, is communicated to His Excellency the Governor General the following Royal order.

"Excellency: A. E. the Minister of State communicates to H.E. the Minister of Ultramar under date of 27th March ultimo, the following:

"Excellency: The King (whom God preserve) having been informed of the proceedings instituted in view of the appointment as Consular Agent of the United States at Trinidad, Island of Cuba in favor of Mr José Palau

y Magdaleno; H.M. has been pleased to grant him the corresponding authorization to discharge the duties of that post under the conditions alike imposed on all the Consuls of other nations in the provinces of Spain in Ultramar, in conformity with the Royal order of 24th March 1829 and in accordance with the Prescriptions of the Regulations of 3d July 1848.

By Royal order I communicate the foregoing for your knowledge and with the view that you will please communicate the same to the Governor General of Cuba for the customary effects.

By the same Royal order communi=cated by H.E. the Minister of Ultramar I transmit it to Y.E. for the purposes indicated."

And compliance with the same having been ordered by H.E. on the 26th instant, by his instruction I have the honor to transcribe the same to you for your information and satisfaction. × × × ×

Habana 29th April 1882

M Diaz de la Quintana

José Palau y Magdaleno Esq.
Consular Agent of the United States
Trinidad.

Copy. Gobierno General de la Isla de Cuba.

Secretaria.

Seccion de Politica.

Personal.

Por el Ministerio de Ultramar, con fecha 2 del corriente, se comunica al Exmo Sr Gobernador General la Real órden que sigue.

"Exmo Señor = El Señor Ministro de Estado dice al de Ultramar, en 27 de Marzo ultimo lo que sigue. " Exmo Sr = Enterado el Rey (q D g) del espediente instruido con motivo del nombramiento de Agente Consular de los Estados Unidos en Trinidad de Cuba, á favor de Don José Palau y Magdaleno; S. M. se ha dignado concederle la autorizacion correspondiente para que pueda desempeñar dicho cargo bajo la condicion impuesta igualmente á todos los Consules de las demas naciones

en

en las provincias de España en Ultramar, segun la Real órden de 24 de Marzo de 1879 y con arreglo á las Prescripciones del Reglamento de 3 de Julio de 1848. De Real órden lo digo á VE para su conocimiento, y á fin de que se sirva comunicarlo al Gobernador General de Cuba para los efectos de costumbre.- De la propia Real órden, comunicada por el Sr. Ministro de Ultramar, lo traslado á VE á los fines indicados."

Y acordado por S.E. su cumplimiento en 26 del actual, de su órden tengo el honor de trascribla á V. para su conocimiento y satisfaccion.

Dios gue á V. muchos años.

Habana, 29 de Abril de 1882.

(Signes) M. Diaz de la Quintana.

Sor Don José Palau y Magdaleno.
Agente Consular de los Estados Unidos de America en Trinidad.

en las provincias de España en Ultramar, segun la Real órden de 24 de Marzo de 1829 y con arreglo á las Prescripciones del Reglamento de 3 de Julio de 1848. De Real órden lo digo á VE para su conocimiento, y á fin de que se sirva comunicarlo al Gobernador General de Cuba para los efectos de costumbre.- De la propia Real órden, comunicada por el Sr. Ministro de Ultramar, lo traslado á VE á los fines indicados."

Y acordado por S.E. su cumplimiento en 26 del actual, de su órden tengo el honor de trascribla á V. para su conocimiento y satisfaccion.

Dios gue á V. muchos años.

Habana, 29 de Abril de 1882.

(Signed) M. Diaz de la Quintana.

Sor Don José Palau y Magdaleno.
Agente Consular de los Estados Unidos de America en Trinidad.

Archive
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D St Clair

RTMENT OF STATE
MAY
19
1882
RECEIVED

Havana
Jamaica, Long Island, Wash

A Badeau to Hon J. C. Bancroft Davis
State Department

Appointed
Consul General
at Havana

Subject – Acceptance of Appointment

Abstract of Contents
Acceptance of Appointment
Assumption of Consular bond
and Oath of Office and Allegiance

No 1

Jamaica Long Island
New York May 16 1882

The Hon J. C. Bancroft Davis
Assistant Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of your despatch No 1 of date May 6th inst, informing me that the President has appointed me, by and with the advice and consent of the Senate, Consul General of the United States at Havana, Cuba, and transmitting to me forms of the Consular Bond and oath of Office and Allegance, which I return herewith, executed.

I also note that my Commission is to be sent to Madrid to receive the usual Exequatur,

In compliance with the instructions of the Department, I have to state that my place of residence is New York City, and that I was born in the State of New York, from which State I have been appointed, and

that I have never resided in Spain more than four weeks.

I am Sir
Very respectfully
Your Obedient Servant
Adam Badeau
Appointed Consul General
of the United States
at Havana,

Inclosures
No 1 Consular bond
No 2 Oath of Office and Allegiance

DEPARTMENT OF STATE
MAY
19
1882
RECEIVED

No 2

Havana
Jamaica Long Island, New York

Adam Badeau — to — Hon J. C. Bancroft Davis
Appointed Consul General
at Havana

Subject
Acknowledgment of receipt
of Instructions relative to
Commencement

No 2.

Jamaica, Long Island,
New York May 16. 1882

The Hon J. C. Bancroft Davis,
Assistant Secretary of State,
Washington. D.C.

Sir:

I have the honor to acknowledge the receipt of your despatch No 2. acquainting me with the particulars of my compensation during the time of my holding office as Consul General at Havana, as well as during the time occupied in receiving instructions and in making the direct transit between the place of my residence and my post of duty. together with other information in regard to allowances.

I am Sir
Very respectfully
Your obedient Servant
Adam Badeau
Appointed Consul General
at Havana

file

Rec'd June 1/82

see instruction July 13/82 in answer to No 1162

D'H Clair

No 1137 — U.S. Consulate General

Havana, May 19th 1882.

Mr Williams, to the

Department of State.

Petition of Doctor Dionisio J. Saez, a naturalized citizen of the United States, of Cuban birth, asking that the Government of the United States grant him permission to exercise the duties of physician in the City Hospital of Cardenas. without impairing his American citizenship.

Transmitting the original petition above mentioned together with the Certificate of Naturalization of Dr Dionisio J. Saez and a printed copy, in the Spanish language of the Law of Spain relative to foreigners residing in her Colonies.

One inclosure

No 1137.

U. S. Consulate General.
Havana, May 19th 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

At the request of Doctor Dionisio J. Saez, a naturalized citizen of the United States, of Cuban birth, I herewith transmit to the Department, his petition addressed under date of the 12th instant, to the President of the United States, praying that permission be granted to him by the Government of the United States, to accept the appointment and perform the duties of physician to the City Hospital of Cardenas, in this Island, without the same affecting in any way his rights as an American citizen.

For the information of the Department I herewith

transcribe the translated Article XXXII-
of the Law of the 4th July 1870, relative
to foreigners residing in this Island,
and referred to in the petition of
Dr Saez, which reads as follows:

"No foreigner can hold any
"office which though it may not
"be of popular election, has con-
"authority or jurisdiction connect-
"-ed with it.

"No foreigner can obtain
"any public employment confer-
"-ring authority or jurisdiction
"unless he shall have entered
"the service of Spain <u>with the</u>
"<u>consent</u> of his Government; or
"unless this circumstance do not
"exist, he shall have been con-
"especially empowered so to do by
"the Spanish Government. In the
"last case the foreigner must,
"before taking possession of the
"office, renounce the protection of
"his government in whatever relates
"to the duties of said office."

<u>Previous</u>

Previous to sending me the enclosed petition Dr Saez, had already applied verbally through two friends for a certificate from this office to the effect, that, he might accept and hold the position named without impairing his American citizenship. But I respectfully declined his request, upon the ground that I knew of no authority or jurisdiction held by this Consulate, by which it could determine what American citizens either can or cannot do, in the licit exchange of the products of either their labor or of their intelligence.

In this particular case the law, as quoted, indicates that Dr. Saez can apply, whenever he pleases, to the Spanish Government for a special permission to cover his case; but instead of pursuing this course, he elects to petition the United States Government,

and

and that, too, incited by the spur of Spanish law.

Native born American citizens have often been employed by the Spanish Government in this Island, without their having been compelled to furnish any certificate of the character of that sought by Dr Saez.

The dry-dock of the national Navy Yard of this port, was built under the direction of an American Civil Engineer without any interference of the United States Government or its officials.

At one time, too, all the mechanical engineers in charge of the machinery of Spanish steamers of war, were native born American citizens.

Even in the celebrated "Virginius" case the machinery of the Spanish steamer of war "Tornado", was at the time of capture under charge of a native

born

born American citizen in the employ-
-ment of the Spanish Government.

Many other cases might be enumerated of native Americans having been occupied in the employment of the Spanish Govern-
-ment without the United States Government having to take cogni-
-zance of their contracts.

It was under the mental impression left by these facts, that I reaffirmed the refusal to issue the certificate sought, and upon giving my final reply to the request of the friends of Dr Saez, which lastly was urged in the tone of demand; I informed them, in case they were not satisfied with my decision, that they had recourse either to the Department of State, or to the President of the United States, and this remark appears to have suggested the presentation of the petition enclosed.

I

I am, Sir, very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General

Indosure.
No 1. Petition of Doctor Dionisio José Saez, dated May 12th 1882, accompanying his certificate of naturalization and a printed copy in the Spanish language of the Law of Spain relative to foreigners residing in her Colonies.

To the

President of the United States of America,

Washington, D. C.

Sir,

Your petitioner, Dionisio J. Saez, 54 years of age, a physician by profession, a native of Cuba, but a citizen of the United States of America, as doth appear by a certificate of naturalization issued to him out of the United States District Court for the Southern District of Florida, and dated at Key West December 28th 1874, herewith accompanying,

Respectfully sets forth that in order to accept the appointment and fulfill the duties of Physician to the City Hospital of the City of Cardenas, in this Island, he requires the consent of the Government of which he is a citizen, in accordance with article XXXII, of the law relative to foreigners of the 4th of July 1870, a

copy of which is also respectfully sub=
=mitted;

And this being for the exercise of a profession, which in nowise can affect national interests,

Your petitioner doth respectfully pray that consent may be given him, to accept and hold the office referred to, of Physician to the City Hospital of Cardenas, without the same in any way affecting his rights as a citizen of the United States, and reserving to him all the said rights.

And your petitioner will ever pray.

Cardenas, Cuba, May 12th 1882.

Dionisio José Saez

To the

President of the United States of America

UNITED STATES OF AMERICA.

United States District Court—Southern District of Florida.

Key-West, December 28th 1874

PRESENT—THE HONORABLE James W. Locke JUDGE,

Now comes G. B. Patterson Esq., and in open Court, moves for the admission of Dionisio J. Saez born a subject of Spain to Citizenship, and it appearing to the Court, by the testimony of Juan Andre and B. Rivas that the said Dionisio J. Saez has resided within the United States during the last five years; and for the year last past has resided within the State of Florida; and that he made a declaration of his intention to become a citizen of the United States, according to the Statute, more than two years since; and that he is ~~a free white person,~~ over twenty-one years of age; and is, in all other respects, entitled to become a naturalized citizen: It is therefore ordered, that the said Dionisio J. Saez be allowed to take the oath of allegiance to the United States, and become a citizen thereof. WHEREUPON the said Dionisio J. Saez takes the oath of allegiance required by law, and is admitted and adjudged to be a naturalized citizen of the United States of America.

UNITED STATES OF AMERICA,
State of Florida.

I, Eugene A. Locke Clerk of the United States District Court for the Southern District of Florida, do certify that the foregoing is a true copy of the Record of said Court, entered on the 28th day of December in the year one thousand eight hundred and seventy four.

IN WITNESS WHEREOF, the Seal of said Court is hereunto affixed, this 28th day of December in the year one thousand eight hundred and seventy four and in the 99th year of our Independence.

E. A. Locke.
Clerk.

GOBIERNO SUPERIOR POLITICO

DE LA PROVINCIA DE CUBA.

El Excmo. Sr. Gobernador Superior político se ha servido disponer se publique en la Gaceta de esta capital la ley de Extranjería decretada y sancionada por las Córtes Constituyentes para las provincias de España en Ultramar á fin de que llegue por este medio á conocimiento de todas las Autoridades, Tribunales y al de los interesados en la misma.

Habana 16 de Agosto de 1870.—El Secretario, *Cesáreo Fernandez.*

REGENCIA DEL REINO.

Ministerio de Ultramar.

Leyes.

Don Francisco Serrano y Dominguez, Regente del Reino por la voluntad de las Córtes Soberanas; á todos los que las presentes vieren y entendieren, salud: Las Córtes Constituyentes de la Nacion española, en uso de su soberanía, decretan y sancionan lo siguiente:

TITULO PRIMERO.

De los extranjeros y su residencia.

Artículo 1.° Son extranjeros.

1.° Todas las personas nacidas de padres extranjeros fuera del territorio español.

2.° Los nacidos fuera del territorio español de padre extranjero y madre española miéntras no reclamen la nacionalidad española.

3.° Los nacidos en territorio español de padres extranjeros, ó de padre extranjero y madre española, mientras no hagan aquella reclamacion.

4.° Los españoles que hayan perdido su nacionalidad.

5.° Los nacidos fuera del territorio español de padres que hayan perdido la nacionalidad española.

6.° La mujer española casada con extranjero.

Para los efectos de este artículo, se consideran los buques nacionales como parte de los dominios españoles.

Art. 2.° Los extranjeros que con arreglo á las leyes obtengan carta de naturaleza ó ganen vecindad en cualquier pueblo de las provincias españolas de Ultramar son tenidos por españoles.

Art. 3.° Los extranjeros podrán entrar, residir y establecerse libremente en el territorio de las provincias españolas de Ultramar; se dividirán en *domiciliados, transeuntes y emigrados*; tendrán los derechos y deberes que esta ley establece, y quedarán además sujetos á todas las leyes y reglamentos que rijan en aquellas provincias.

Serán *domiciliados* los que tengan casa abierta ó lleven tres años de residencia en la provincia, ó estén inscriptos en el registro como domiciliados.

Serán *transeuntes* aquellos en quienes no concurra ninguna de las circunstancias precedentes.

Serán *emigrados* los que careciendo de las mismas circunstancias no se hallen inscriptos en el Registro como transeuntes, y lleven mas de tres meses de permanencia en la provincia.

Art. 4.° Los extranjeros que lleguen á territorio español de Ultramar y deseen ser inscriptos en el Registro como domiciliados ó transeuntes deberán presentar á la Autoridad civil del pueblo el pasaporte ó documento correspondiente que identifique su persona.

En caso de no tenerle, harán ante la misma Autoridad una informacion de testigos.

Lo uno y lo otro podrá efectuarse ante el Cónsul respectivo, quien en tal caso pasará á la Autoridad civil el oportuno testimonio íntegro y autorizado.

Art. 5.° El extranjero que no identifique su persona por alguno de los dos medios prescriptos en el artículo anterior será tenido por emigrado pasados tres meses de su llegada.

Art. 6.° Hecho lo prevenido en el artículo 4.° se expedirá un certificado al extranjero para que acredite la identidad de su persona en cualquier punto del territorio adonde quiera dirigirse, interin se inscribe en el *Rejistro de extranjeros* y se provee de la correspondiente cédula.

Art. 7.° Todo extranjero residente de las provincias de Ultramar, para ser coniderado como tal con arreglo á esta ley, deberá estar inscripto en el *Registro de extranjeros* que al efecto se llevará por los Gobiernos superiores civiles, y en el del Consulado de su nacion.

Cuando en el territorio haya mas de un Consulado de una misma nacion, el Registro será llevado por el que resida en la capital, y cuando en la capital no lo hubiere, por el que designe el Gobernador superior civil.

Art. 8.° Estos Registros contendrán:

El nombre, edad, natureleza, estado y profesion del interesado.

Su calidad de domiciliado, transeunte ó emigrado.

El lugar donde fije su domicilio.

La clase de establecimento que abra.

La familia que le acompañe.

Y cualesquiera otras circunstancias que sirvan para determinar su estado civil.

Art. 9.° El registro de los Consulados no surtirá efectos legales sinó está conforme con el del Gobierno superior civil.

Art. 10. La inscripcion en el Registro se hará en vista de los documentos que para identificacion de su persona presente el que la pida.

A falta de documentos podrá el interesado hacer una informacion de testigos.

Art. 11. Hecha la inscripcion en el Registro, se proveerá al interesado de una cédula, donde conste su nombre, edad, naturaleza, estado y profesion, su calidad de domiciliado, emigrado ó transeunte y en su caso el lugar de su domicilio.

Esta cédula servirá al interesado para acreditar la identidad de su persona, y para residir y transitar libremente por todo el territorio español.

Art. 12. El extranjero á quien no conviniere ir á la capital del territorio pedirá por conducto de la Autoridad civil del

pueblo en que quiera residir ó establecerse su inscripcion en el *Registro de extranjeros*, á cuyo fin entregará á dicha Autoridad los documentos que identifiquen su persona ó hará la informacion de que se habla en el artículo 10.

Art. 13. Los documentos ó las diligencias de informacion serán remitidos originales en el término de ocho dias al Gobernador superior civil, el cual mandará que se haga la inscripcion en el Registro, se expida la cédula correspondiente y se remita todo por el mismo conducto al interesado.

Estas diligencias deberán ejecutarse en el término de quince dias, á contar desde el de la recepcion de los documentos en el Gobierno.

Art. 14. La informacion de testigos, las diligencias de remision y todas las demas necesarias para la inscripcion en los Registros, así como el certificado que previene el art. 6.° y la cédula que expresa el 11, se practicarán y expedirán de oficio y sin derechos.

Art. 15. Para los efectos legales, se considerará domicilio de un extranjero el pueblo donde tenga casa abierta, ó donde habite al cumplirse los tres años de su residencia en la provincia.

Cuando tenga casa abierta en dos ó mas pueblos, elegirá uno para domicilio.

Art. 16. Cuando un extranjero pase de la clase de emigrado á la de transeunte ó domiciliado, ó de la de transeunte á domiciliado, ó siendo domiciliado varíe de domicilio, lo pondrá personalmente ó por conducto de la Autoridad local en conocimiento del Gobierno superior civil, con remision de su cédula, á fin de que en esta y en el Registro se hagan las anotaciones correspondientes.

Los términos para que se verifiquen estas diligencias serán los mismos respectivamente que se fijan en el art. 13.

Art. 17. El domicilio se pedirá al Ayuntamiento ó Autoridad local del pueblo en que se pretenda fijarlo, expresando el motivo y objeto, y sus condiciones y circunstancias.

De la decision de la Autoridad local ó Ayuntamiento podrá el solicitante apelar al Gobernador superior civil, que resolverá sin ulterior recurso.

Art. 18. Toda peticion de domicilio deberá resolverse por la Autoridad local ó Ayuntamiento en el término de 15 dias, pasados los cuales sin resolucion se entenderá concedido el domicilio.

La apelacion al Gobernador superior civil contra la negativa de domicilio se resolverá en el término de un mes, á contar desde el dia en que se reciba en el Gobierno la solicitud de

apelacion. Pasado un mes sin resolucion, se entenderá concedido el domicilio con anulacion de la decision apelada.

Art. 19. Ningun extranjero podrá ser inscripto en el registro del Gobierno civil en calidad de domiciliado, ni con expresion del punto en que pretenda serlo sin acreditar debidamente que le ha sido concedido el domicilio.

Art. 20. Los extranjeros transeuntes podrán residir en el punto que elijan.

Esto no obstante, cuando los residentes en un punto determinado pudieran por su número, procedencia ú otras circunstancias poner en peligro las relaciones amistosas de España con otra nacion, el Gobierno ó la Autoridad superior de la provincia podrá señalarles otro punto de residencia.

Art. 21. Los emigrados residirán, miéntras lo sean, en el punto que los Gobernadores superiores civiles y despues el Gobierno español señalasen.

Entre tanto estarán bajo la vigilancia de la Autoridad política del pueblo donde primeramente se presentasen, la cual fijará el punto de su residencia, dando cuenta inmediata al Gobernador superior civil.

Art. 22. Los emigrados que entren con armas en el territorio español serán desarmados en el acto.

Art. 23. Los Gobernadores superiores civiles, dando cuenta inmediata al Gobierno, decidirán además del punto de residencia de los emigrados si han de estar en depósito ó recibir socorros.

Art. 24. Los emigrados que no identificasen su persona no serán inscriptos en el Registro de extranjeros hasta que se haga lo que previene el artículo siguiente.

Entre tanto figurarán en una lista especial bajo los nombres y circunstancias que ellos eligiesen. A este efecto las Autoridades á quienes primero se presentasen cuidarán de remitir con toda urgencia las relaciones correspondientes á los Gobernadores superiores civiles.

Art. 25. En el caso á que se refiere el artículo anterior, el Gobierno español, ó en su nombre los Gobernadores superiores civiles, podrán á las naciones de que hubiesen manifestado proceder los emigrados las noticias necesarias para comprobar la verdad de las relaciones dadas por estos.

Art. 26. Todo emigrado pasará á la clase de transeunte ó domiciliado á los seis meses de su entrada en el territorio español, ó antes si lo pidiese y hubiese identificado su persona.

Art. 27. Los emigrados que á los seis meses de su entrada en territorio español no hubiesen identificado su persona, ó de quienes no se hubiese sabido cosa cierta, no obstante de la-

berse pedido noticias de que se habla en el artículo 25, serán inscritos con sujecion á las relaciones que ellos hubiesen dado.

Art. 28. El emigrado que no pudiendo identificar su persona faltase á la verdad en la relacion de su nombre y circunstancias, podrá ser expulsado del territorio español por órden del Gobierno ó del Gobernador superior civil de la provincia.

Igualmente podrá ser expulsado el que para identificar su persona presentase documentos falsos ó hiciese una falsa informacion. En este caso se procederá criminalmente y con arreglo á las leyes contra los españoles que de cualquier modo hayan tomado parte en el delito.

TITULO II.

De la condicion política de los extranjeros.

Art. 29. Los extranjeros que con arreglo á esta ley residan en las provincias españolas de Ultramar tendrán derecho:

A la seguridad de su persona, bienes, domicilio y correspondencia en la forma establecida por las leyes para los españoles.

A reunirse y asociarse en los casos y con las condiciones que estén determinados para los españoles, y siempre que el objeto con que lo hagan no sea de hostilidad á los Estados que tengan relaciones amistosas con España.

A emitir y publicar sus ideas con sujecion á las leyes que sobre la materia rijan para los españoles y con la limitacion impuesta en el párrafo anterior.

Y á dirigir peticiones á los Poderes públicos y á las Autoridades en la forma que para los españoles dispongan las leyes.

Art. 30. Todo extranjero tendrá derecho en los territorios españoles de Ultramar á practicar pública ó privadamente cualquier culto religioso, sin mas limitaciones que las reglas universales de la moral y del derecho.

Art. 31. Ningun extranjero podrá ser elector ni elejible para los cargos públicos de eleccion popular.

Art. 32. Tampoco podrá ningun extranjero:

Ejercer cargo alguno aunque no sea de eleccion popular que tenga aneja autoridad ó jurisdiccion.

Obtener beneficio alguno eclesiástico.

Obtener empleo público alguno de los que no llevan aneja autoridad ó jurisdiccion, á no ser que haya entrado al servicio de España con permiso de su Gobierno respectivo, ó que si esta circunstancia no concurre se le habilite especialmente para ello por el Gobierno español.

En el último caso deberá el extranjero ántes de tomar posesion del empleo renunciar á la proteccion de su país en cuanto se refiere al ejercicio de su cargo.

Art. 33. Todos los considerados extranjeros con arreglo á esta ley estarán obligados al pago de las contribuciones de todas clases que correspondan segun las leyes, reglamentos y tarifas á la industria ó comercio que ejerciesen.

Los domiciliados estarán además sujetos á los impuestos municipales y provinciales, y á los donativos, préstamos y contribuciones personales ordinarias y extraordinarias.

Art. 34. Los bienes raices ó inmuebles pertenecientes á extranjeros de cualquier clase que estos sean, y aunque no residan en territorio español, estarán sujetos á todos los impuestos que graviten sobre los bienes de igual naturaleza pertenecientes á los españoles.

Art. 35. Los extranjeros estarán exentos de las cargas concejiles personales.

Exceptúanse los domiciliados con casa abierta por sí, los cuales estarán sujetos á las cargas de alojamiento y bagajes.

Art. 36. Los extranjeros domiciliados tendrán derecho al disfrute de todos los aprovechamientos comunes del pueblo en que tengan su domicilio.

Art. 37. Ninguno de los que esta ley considera extranjeros estará sujeto al servicio militar.

TITULO III.

De la condicion civil de los extranjeros.

Art. 38. Los extranjeros podrán adquirir y poseer en el territorio español de Ultramar toda clase de bienes muebles ó inmuebles.

Art. 39. Todo extranjero podrá ejercer libremente en las provincias españolas de Ultramar cualquiera clase de industria con arreglo a la legislacion allí vigente, y dedicarse á cualquiera profesion para cuyo desempeño no exijan las leyes títulos de aptitud expedidos por las Autoridades españolas.

Art. 40. Los extranjeros podrán ejercer el comercio por mayor y menor; pero con sujecion al Código de Comercio y á las demas leyes, reglamentos ó disposiciones que rijen en la materia.

Quedan por ahora subsistentes las prohibiciones que existen respecto al desempeño por los extranjeros de funciones públicas mercantiles.

Art. 41. Los extranjeros estarán sujetos á las leyes y

Tribunales españoles por los delitos que cometan en el territorio español.

Art. 42. Tambien lo estarán en todas las demandas que por ellos ó contra ellos se entablen para el cumplimiento de obligaciones contraidas dentro y fuera de España á favor de españoles ó que versen sobre propiedad ó posesion de bienes existentes en territorio español.

Art. 43. Los Tribunales españoles serán tambien competentes y deberán conocer de las demandas entre extranjeros que ante ellos se entablen, y que versen sobre el cumplimiento de obligaciones contraidas ó cumplideras en España.

Art. 44. En los abintestatos de extranjeros la Autoridad judicial del pueblo en que ocurra el fallecimiento, en union con el Cónsul mas próximo de la nacion á que correspondiera el finado, ó de la persona que el Cónsul comisione para ello, formará el inventario de los bienes y efectos, y dispondrá lo necesario para que se conserven en custodia y á disposicion de los herederos.

Si el extranjero fuese domiciliado, y falleciese fuera de su domicilio, el Juez de este, á quien se dará noticia por el del lugar del fallecimiento hará lo que se previene en el párrafo anterior respecto de los bienes y efectos del finado que allí existan.

En el caso de no residir Cónsul en el pueblo del fallecimiento ó del domicilio, la Autoridad judicial, miéntras el Cónsul á quien dará inmediato aviso ó su comisionado se presentase, se limitará á tomar las medidas necesarias para la custodia de los bienes y efectos.

Art. 45. Tanto en los abintestatos como en las sucesiones testamentarias de extranjeros, los Tribunales españoles solo podrán conocer de la reclamacion y demandas á que se refieren los artículos anteriores.

Art. 46. En los demas negocios sobre extranjeros ó contra extranjeros, los Tribunales españoles solo serán competentes para adoptar medidas urgentes y provisionales de precaucion y seguridad.

Art. 47. Los extranjeros como tales, no gozarán de fuero alguno especial ni privilegiado, y estarán sujetos á los mismos Tribunales que segun los casos, conozcan de los negocios de los españoles.

TITULO IV.

De los buques extranjeros.

Art. 48. Los criminales ó reos de delitos comunes no podrán tomar asilo en los buques mercantes extranjeros anclados

en puerto español, y si lo hicieren, las Autoridades españolas procederán á su extradicion, prévio aviso al Cónsul respectivo si lo hubiese, ó de acuerdo con lo establecido en los respectivos tratados internacionales si existiesen.

Art. 49. Todo buque extranjero podrá acogerse á los puertos españoles de Ultramar.

El que llegue por arribada forzosa será auxiliado por las autoridades españolas.

Art. 50. Las autoridades españolas intervendrán en cualquier exceso, desórden ó tumulto ocurrido en buque extranjero anclado en puerto español, cuando lo crea que puede afectar á la seguridad interior, ó exterior, ó la tranquilidad del territorio.

En cualquier otro caso solo intervendrán si el Capitan del buque reclama su auxilio.

Art. 51. Los desertores de la dotacion de buques extranjeros anclados en puerto español de Ultramar serán devueltos á su bordo por las Autoridades españolas en cuanto se verifique su aprehension.

Art. 52. En caso de naufragio de un buque extranjero, las Autoridades de Marina, auxiliadas por las demás y procediendo de acuerdo con el Capitan ó Jefe del buque y el Cónsul respectivo, si le hubiese, procederán á todo lo necesario para el salvamento.

Art. 53. En los casos á que se refiere el artículo anterior, solo exigirá el pago de los gastos de salvamento y por razon de costas procesales lo que dispongan los aranceles respecto á los buques españoles.

Art. 54. Cualquier falta, negligencia ú omision por parte de las Autoridades españolas respecto de los auxilios prevenidos en los artículos precedentes las harán responsables para ante el Gobierno español, pero no darán derecho á indemnizacion de ninguna clase á los que se crean perjudicados, salvo que se halle establecido lo contrario en los tratados.

TITULO V.

Disposiciones generales.

Art. 55. Las disposiciones de esta ley no se refieren á los representantes extranjeros ni á las personas que dependan de ellos como tales.

Art. 56. Quedan derogadas las leyes y disposiciones vigentes hasta hoy en la materia en cuanto se opongan á las prescripciones de esta ley.

Art. 57. El Ministro de Ultramar formará los reglamentos y dictará las disposiciones necesarias para que esta ley se cumpla y ejecute.

De acuerdo de las Córtes Constituyentes se comunica al Regente del Reino para su promulgacion como ley.

Palacio de las Córtes á diez y nueve de Mayo de mil ochocientos setenta.—Manuel Ruiz Zorrilla, Presidente.—Manuel de Llano y Pérsi, Diputado Secretario.—Julian Sanchez Ruano, Diputado Secretario.—Francisco Javier Carratalá, Diputado Secretario.—Mariano Rius, Diputado Secretario.

Por tanto:

Mando á todos los Tribunales, Justicias, Jefes, Gobernadores y demas Autoridades, así civiles como militares y eclesiásticas de cualquier clase y dignidad, que lo guarden y hagan guardar, cumplir y ejecutar en todas sus partes.

San Ildefonso á cuatro de Julio de mil ochocientos setenta.—Francisco Serrano.—El Ministro de Ultramar, Segismundo Moret y Prendergast.

DEPARTMENT OF ST.
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Ans. 6/ June 1/82 D. Tillman

No 1138 U.S. Consulate General.
Havana, May 20th 1882.

Mr Williams, to the
Department of State.

Receipt of instructions
regarding the appointment
of Mr Joseph O. Hernandez
as Vice Commercial Agent at
Cardenas, Island of Cuba.

No. 1138. U.S. Consulate General.

Havana, May 20th 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State
Washington.

Sir:

I have the honor to acknowledge the receipt of your instruction No. 651 of the 1st instant the contents of which have my most careful attention.

I am, Sir,

Very respectfully.
Your Obedient Servant
R. O. Williams
Vice Consul General.

DEPARTMENT OF STATE
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Act of June 1/82

No 1139. U. S. Consulate General

Havana May 20th 1882.

Mr Williams, to the

Department of State

Acknowledging receipt of copy of the Protocol of a conference between the Honorable the Secretary of State of the United States and H. E. the Ministers Plenipotentiary of Spain to the United States, in the English and Spanish languages, relating to the prolongation of the functions of the Spanish American Claims Commission, until the first day of January next.

No 1139.

U. S. Consulate General
Havana, May 20th 1882.

Hon: J. C. Bancroft Davis
Assistant Secretary of State.
Washington.

Sir:

I have the honor to acknowledge the receipt of the Department's Separate Instruction in reference to the determined prolongation of the business to be finished by the Spanish American Claims Commission until the first day of January next, which has received my careful attention.

I am, Sir, very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General

DEPARTMENT OF S.
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Ack'd June 1/82

W. H. Clan

No 1140. U. S. Consulate General.
Havana May 23 1882.

Mr Williams, to the
Department of State.

Appointment of Mr Joseph A. Nunez as Commercial Agent of the United States at the port of Cardenas in this Island.

Acknowledging the receipt of the Department's instruction No 654, of 18th May 1882. in reference to the above appointment.

No 1140.

U. S. Consulate General.
Habana, May 23d 1882.

Hon: J. C. Bancroft Davis-
Assistant Secretary of State-
Washington.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction No 654, of the 18th instant, and to state that in compliance with the same, I have this day applied to H. E. the Governor General of this Island, for the temporary recognition of Mr Joseph A. Nunez, as Commercial Agent of the United States, at the port of Cardenas, pending the receipt of his Royal Exequatur.

I am, Sir, very respectfully,
Your Obedient Servant.

R. O. Williams
Vice Consul General.

DEPARTMENT OF STATE
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Desk
June 1/82

Mr Clan

No 1140. U.S. Consulate General.
Havana May 23d 1882.

Mr Williams, to the
Department of State.

Appointment of Mr Joseph A. Nunez as Commercial Agent of the United States at the port of Cardenas in this Island.

Acknowledging the receipt of the Department's instruction No 654, of 13th May 1882. in reference to the above appointment.

No 1140.

U. S. Consulate General.
Havana, May 23d 1882.

Hon: J. C. Bancroft Davis-
Assistant Secretary of State-
Washington.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction No 654, of the 18th instant, and to state that in compliance with the same, I have this day applied to H. E. the Governor General of this Island, for the temporary recognition of Mr Joseph A. Nunez, as Commercial Agent of the United States, at the port of Cardenas, pending the receipt of his Royal Exequatur.

I am, Sir, very respectfully,
Your Obedient Servant-
R. O. Williams
Vice Consul General.

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Ans. June 1/82 T. F. Frelinghuysen

No 1141. U.S. Consulate General
Havana, May 23d 1882.

Mr Williams, to the
Department of State.

Receipt of instruction of the
Department No 652 of 18th instant.

N°1141. U. S. Consulate General
Havana, May 23° 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

I have the honor to acknowledge receipt of your instruction N°652, of 18th instant, the contents of which have my careful attention.

I am, Sir, very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General.

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June 1/82 ✓ Dl. clair

No. 1142 U.S. Consulate General.
Havana - May 24th 1882.

Mr. Williams, to the
Department of State.

The United States Consulate
at Cienfuegos.

Definite recognition of Mr.
Juan. B. Carbó, appointed
United States Vice Consul at
Cienfuegos, by the Government
of Madrid, Spain.

One inclosure.

No. 1142. U. S. Consulate General.

Havana, May 24th 1882.

Hon J. C. Bancroft Davis -

Assistant Secretary of State.

Washington -

Sir:

Referring to my dispatch No. 1112. of March 2nd, ultimo, I have now to transmit copy and translation of a communication addressed to this office, by instruction of the Supreme Government of Spain, through the Political Secretary of the General Government of this Island, advising the definite recognition, by the former of Mr Juan B. Barbó, as Vice Consul of the United States at the port of Cienfuegos, in this Island, of which Mr Barbó has also been duly informed, by a similar communication, to him addressed, on the same date (may 22nd, 1882.) from the Political Secretary and which

I

I have transmitted to him under this date.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant
R. Mitchell
Vice Consul General.

Inclosure-
1— Copy and translation of a communication from the Secretary of the General Government of the Island - dated 22d May 1882 in reference to the foregoing subject.

Inclosure N° 1
With Dispatch N° 1142
Havana, May 24. 1882.
Translation.

Government General
of the Island of Cuba
Secretaryship.
Political Bureau
Personnel.

By the Ministry of Ultramar under date of 20th April ultimo is communicated to H. E. the Governor General the following Royal order.

"Excellency: The Hon the Minister of State communicates to the Minister of Ultramar under date of 14th instant the following:

"Excellency: The King (whom God preserve) cognizant of the proceedings had respecting the appointment as Vice Consul of the United States at Cienfuegos in favor of Mr Juan B. Carbó: H. M. has been pleased to accord to him the corresponding authorization that he

may

discharge the duties of the said office under the same conditions imposed alike on all other Consuls in the Provinces of Spain in Ultramar as per Royal order of 24th March 1829, and in accordance with the prescriptions of the Regulations of 3d July 1848.

By Royal order I have to state the foregoing to Y.E. for your knowledge and in order that you be pleased to communicate the same to the Governor General of the Island of Cuba for the customary effects.

By the same said Royal order communicated by the Honorable the Minister of Ultramar I transmit it to Y.E. for the corresponding effects."

And, in compliance with the herein before mentioned sovereign instruction, by his order I have the honor to transmit it to U.H. for your knowledge and other purposes.

× × × ×

Harana, May 22d 1882.

M. Diaz de la Quintana

To the Consul General
of the United States

Copy

Copy.

Gobierno General de la
Isla de Cuba. } Seccion Politica.
Secretaria. } Personal.

Por el Ministerio de
Ultramar con fecha 20 de Abril ultimo se
comunica al Exmo: Sr Gobernador General
la Rl. Orden siguiente:

"Exmo Sr. El Sr Ministro de Estado
dice al de Ultramar en 14 del actual lo
siguiente. — Exmo. Sr: Enterado
el Rey (q D. g) del espediente instruido con
motivo del nombramiento de Vice Cónsul de
los Estados Unidos en Cienfuegos, á favr de
Dn Juan B. Carbó; S. M se ha dignado
conceder le la autorizacion correspondiente
para que pueda desempeñar dicho cargo
bajo la condicion impuesta igualmente
á todos los demas Cónsules en las pro-
vincias de España en Ultramar, segun
la Real Orden de 24 de Marzo de 1829,
y con arreglo á las prescripciones del
Reglamento de 3 de Julio de 1848.
De Real órden lo digo á V.E para
su conocimiento y á fin de que se sirva
comunicarlo

R.O. nº 690.

comunicarlo al Gobernador General de la Ysla de Cuba para los efectos de costumbre.

"De la propia Real orden, comunicada "por el Sr Ministro de Ultramar lo "traslado á VE para los efectos correspondientes".

Y acordado, por S.E. con fecha 18 del actual el cumplimiento de la preinserta soberana disposicion, de su órden tengo el honor de trasladarla á VS para su conocimiento y demas efectos.

Dios gue á VS. mº años.
Habana, Mayo 22 de 1882.
M. Diaz de la Quintana.

Sr Cónsul General de los Estados Unidos de America.

DEPARTMENT OF STATE
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No 3

Jamaica, Long Island, Ny.
May 25. 1822

Adam Badeau
Vice Consul General
at Havana

The Hon
J. C. Bancroft Davis
Assistant Secretary of State

Subject Acknowledgement of
receipt of Despatch No 3, from
Department of State

Abstract of Contents
Acknowledgment of Despatch
" " Official Instructions
" " Consular Regulations,
" " State Department Register

No 3

Jamaica Long Island
NY
May 25: 1882

The Hon J. C. Bancroft Davis
Assistant Secretary of State
Washington DC

Sir:

I have the honor to acknowledge the receipt of your despatch No 3 of May 22d inst, informing me of the receipt of mine of the 16th inst, and also that my official bond has been approved and deposited with the Secretary of the Treasury. I have also the honor to acknowledge the receipt of my official passport and, under separate cover, of a copy of the Consular Regulations and of a Register of the Department.

I am Sir Very respectfully
Your obedient Servant
Adam Badeau
Consul General at Havana
now at Jamaica LI

from Mr Hamlin
Dis 80 June 7/82
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DEPARTMENT OF STATE
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Rec'd June 9/82 D. H. Clair

No. 1143. U.S. Consulate General.
Havana, May 26th 1882.

Mr Williams, to the
Department of State.

Fines imposed upon the American steamship "Santiago", by the Customs Authorities of Cienfuegos.

Acknowledging receipt of the Department's instruction No 653, of the 12th instant, respecting the exact amount of fines imposed on the Steamer "Santiago".

No 1143. U.S. Consulate General

Havana, 26th May 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

Acknowledging receipt of, and replying to your instruction No. 653, dated the 13th instant, asking for the exact amount of the fine imposed on the American steamer "Santiago" - the 21st Sept. 1881, at Cienfuegos, I have the honor to say, that, I have today called personally, for the purpose of its ascertainment, on H. E. the Director General of Finances of this Island, Don Carlos de Rojas, and he has informed me, that, the exact amount of said fine is $40,871.76 (forty thousand eight hundred and seventy one dollars and seventy six cents) - and further, that this amount was at my request and with his consent, unofficially

unofficially endorsed by one of the officers of his Department, and in my presence, at the foot of your said instruction.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant
T. D. Williams
Vice Consul General.

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Ack'd
June 9/82

No 1144. — U. S. Consulate General
Havana, May 24th 1882.

Mr Williams, to the
Department of State.

Accompanying a sealed package, containing #20,000. — in bonds of the United States, to be forwarded to Mr José Manuel Mestre, P. O. Box 2595. New York City.

One inclosure.

Sent forward by registered mail June 1-82. cfb

No 1144. U.S. Consulate General.

Havana, May 27th 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

At the request of Mrs Maria Ana Pedroso de Argudin, I transmit herewith a sealed package, addressed to Mr José Manuel Mestre. P.O Box No 2595, New York City, containing $20,000. (Twenty thousand dollars) in certificates of stock of the United States, which I respectfully beg may be forwarded safely to its address, through the registered mail, for which purpose seventy five cents are inclosed to cover postage.

I have the honor to be, Sir,

very respectfully.

Your Obedient Servant.

R. O. Williams

Vice Consul General.

Inclosure

1- package as above.

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No 1145. U.S. Consulate General.

Havana, May 29th 1882.

Respies to Mr Hamlin's June 14/82 Ans

Mr Williams, to the

Department of State.

The Florida fisheries.

Transmitting copy and translation of a communication from Messrs Fogarty & Johnson, and others, of Key West, Florida, engaged in the catching of fish and its import=ation alive into Havana, dated 12th, and copy of my reply thereto of 23d, instant, regarding the subject above named.

Two inclosures.

No 1145. U.S. Consulate General

Havana, May 29th 1882

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

I beg to enclose, herewith, copy and translation of a communication, dated the 12th inst: received at this office from Messrs Fogarty & Johnson and others, of Key West, Florida, with copy of my reply thereto dated 23d instant, in relation to the live fish business, that they have been carrying on with this port during the last 25 years, and which has recently suffered interruption by the imposition of an import duty by the Government of this Island.

In presenting this communication to the con-
=sideration of the Department, I take it, that it may not be inopportune if I accompa-
=ny it with a brief relation

of

1/2.

of facts partly orally acquired, and partly from my own personal knowledge, concerning the fisheries of Florida, and the introduction of their products into the Havana market.

The fisheries of the Western coast of that State for several generations prior to its acquisition by the United States from Spain in 1821, in virtue of the treaty of 1819, had been the principal source of supply of live fish for the inhabitants of Havana.

By that treaty, the live fish brought from Florida was denationalized and became, in consequence, a merchandize of foreign production in Cuba.

It was, moreover, excluded from the Havana market, by the ancient Royal orders of the Kings of Spain

which

which excluded all persons from fishing for the purpose of trade but those ("matriculados") who had already performed services in their majesties' ships of war or were inscribed in the lists of the navy offices to perform such service when called upon.

Thus by the joint action of the treaty and these Royal orders, the people of Florida — engaged in the occupation of fishing, lost their best market: the inhabitants of the Havana, losing at the same time their nearest and most abundant source of fresh fish food.

Surreptitious means, however, were devised for the circumvention of the barriers thus interposed between supply and demand.

Thus, soon after the transfer of Florida, a number of small sloops called "smacks"

were

were fitted out in Mystic and New London, in the State of Connecticut, between parties in Havana, and others in those towns for the joint prosecution of this trade.

The modus operandi, was thus: they carried two flags, one American, and the other Spanish, with corresponding registers and crew-lists; then, after catching on the coast of Florida, under the American flag their full fares, they would set sail for Havana where they would enter flying the Spanish flag, reporting from some port of the coast of Cuba to the Westward of Havana or from the banks of Yucatan.

Through the influence of the monopolist Don Francisco Marty, into whose hands the trade soon fell, it was in this manner carried on from about the year 1823 to 1856.

In

In this latter year some of the master fishermen, hailing from Mystic, determined that they would no longer bring the article for the price Mr. Marty was assigning them, which was only 5 to 6 cents per pound; while at the same time it was being retailed from his fish market in this city, at 30 to 40 cents per pound.

They complained that Mr Marty from a very poor and obscure position, had become a millionaire; due mainly to the monopoly he had acquired over the sale of their merchandize, and what they had obtained from it, had scarcely been sufficient to cover their living expenses.

Therefore, with the double view of becoming independent of Mr Marty, and of reaping a larger profit out of their business,

they

they proposed to the Government:
1st ——— That they should be
permitted to bring live fish into
this port, under the American
flag, free of all import duty.
2nd ——— They would pay on
the measured tonnage of their
vessel the regular tonnage dues
and other customary port
charges, and ———
3d ——— They offered to bind
themselves never to sell by the
cargo above 11 cents per pound.

General Don José de la
Concha y Gutierrez was then
Capstain General of the Island,
and to him the proposition
was presented.

Hitherto, the Government
had derived no revenue from
the vessels plying this trade,
and the fishermen offered to
pay tonnage and corresponding
port charges such as interpreter,
Custom House entry, Capstain of
the

the Port's fees &c:

The people of Havana, under the monopoly of Mr. Marty, were paying exhorbitant prices for the article.

General Concha favored the proposal and referred it for examination to the very able economist Don Bonifacio Cortes, then Collector of this port, who in turn reported favorably.

Meantime Mr Marty brought to bear against the measure all the power of his influence, backed by the Navy Department; but public opinion pronounced itself in its favor, and General Concha after some months, issued a provisional decree accepting the proposal of the fishermen with the modification of striking out the fixed price proposed, leaving this

to

to be settled by the competition of supply and demand; and 55 cargoes were brought in under its provision.

Mr Marty then appeal-
=ed to Madrid and succeeded in obtaining a Royal order from Queen Isabel, annulling the decree of General Concha, and the trade in consequence was for a while totally stopped.

In consequence, another effort was made on the part of the agent of the fishermen, and after an interval of six months another Royal order was obtained granting their petition, and since 1858 to the early part of the present year the trade has been act-
=ively prosecuted with profit and advantage to both producers and consumers - until practic-
=ally prohibited, as the signers of the accompanying communication

aver

aver, by the recent order of General Prendergast, the present Governor General of the Island.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant.

R. O. Williams
Vice Consul General.

Inclosures:

1- Copy and translation of a communication from Messrs Fogarty & Johnson - dated Key West May 12th 1882.

2 Mr Williams to Messrs Fogarty & Johnson May 23d 1882.

Inclosure Nº 1
With Dispatch Nº 1145.
Habana, May 29th 1882.
Translation.

To the Consul General of the United States of America, at Habana.
Sir:

The undersigned owners of schooners in this port, and which have been engage for many years in the importation of live fish from Florida to Havana, each one of which paying into the Treasury of Cuba more than #200- in gold for tonnage dues, inspection, pilotage &c which charges we have always considered excessive for the reason that no Spanish vessel, no matter how large, pays such heavy dues in the United States.

Lately, by the interference of certain speculators of that city a new and extra duty has

been

imposed, which added to the existing duties amounts #2.35/100 for each 100 pounds, or in other terms amounting to the net profit we realize after so much labor during each month.

On and after the 1st day of April, the date of the issue of the said decree, our vessels have been compelled to suspend their voyages, on account of the enormous dues thus imposed upon them; and we have in consequence made a representation to the Honorable the Secretary of State, who has informed us that he has made a representation of our case to the Minister of the United States at the Court of Madrid.

Since our vessels have abandoned their regular trips to the port of Havana, the price of live fish has been greatly enhanced, the poorer classes can no longer afford to purchase it

and

and the Treasury of the Island fails to receive the $200.— which each of our 21 schooners formerly paid into it every time they entered port.

So that it will be per=
=ceived that by the above operation our vessels are excluded from the market of Havana, and the Treasury loses the usual duties imposed, and the poorer classes of Havana can no longer purchase fish because of the monopoly imposed upon it.

We have lately read the telegram of the Minister of Ultramar regarding the suppression of the differential duties now ruling, and as we believe that it is not to be supposed that the new duty — imposed on the 1st of April, on live fish, can be carried into effect for the reasons we have already stated herein; and as the measure is readily under=
=stood to be both prejudicial

to

to be both prejudicial to the inha-
bitants and to the Treasury of
Cuba; we therefore, apply to you
in order that you address H.E.
the Governor General of the Island,
soliciting that he shall suspend
the enforcement of the new duty
imposed on live fish on and after
the 1st day of April of the current
year until the Supreme Govern-
ment of Spain shall decide the
question subject of this memorial.

Key West, May 12th 1882.

(signed) Fogarty vs Johnson.
" Enrique Parodi.
" Fernando J. Moreno.
" W. O. Cash.
" John Lowdelm.
" James C. Curtis.
" Thomas Shultz.
" Samuel Tiler.

Copy.

Cofsy.—

Sr: Cónsul General de los Estados Unidos del Norte America en la Habana.

Respectable Señor:

Los abajo firmados, dueños de goletas en esta Ciudad hace muchos años que importa= =mos pescado vivo en la Habana, pagando á la Hacienda mas de #2000. en oro de derechos por tonelaje, sanidad, practicaje— &c &c que siempre habiamos conisiderado ecsecivos, porque ninguno barco español, por grande que sea paga en estos Estados Unidos tan crecidas dere =chos.

Ahora por insistencias quizá, de especuladores de esa Ciudad han impuesto un nuevo derecho, sobre el ya establecido, de #2.35/100 por cada quintal ó sea, precisamente lo que nos quedaba como resultado liquido;

despues

despues de tanto trabajo en cada mes.

Por esta razon desde el dia 1º de Abril que apareció el decreto imponiendo ese enorme derecho, nuestros barcos suspendieron sus viages á la Habana y repre-sentamos al Secretario de Estado, quien nos ha avisado estar gestionando por medio del Ministro de los E. Unidos en la Corte de Madrid.

Mientras tanto, la retirada de nuestros barcos del puerto de la Habana, ha aumentado grandemente los precios del pescado, que cada dia se aleja mas de la casa del pobre, y por otro lado, la Hacienda no ha recaudado los $\underline{\$200}$. que cada una de nuestras 21 goletas dejan en ese puerto cada momento.

De modo que con la retirada de nuestros barcos de ese mercado, pierde la Hacienda y se perjudica al pueblo que no puede obtener el pescado viro al precio que los monopolistas les impongan ó bien privarse de ese gusto

Ahora bien, hemos leido el telégrama del Sr Ministro de Ultramar en el cual trata de la suspension de derechos por diferencia de bandera, y como no es presumible que pueda quedar vigente el impuesto de 1º de Abril sobre el pescado viro, por ser como hemos dicho, y es facil comprender perjudicial para la Hacienda y el pueblo de la Habana, ocurrimos á Vd. para que se sirva suplicar al Exmo Señor Gobernador Gral de la Isla que suspenda el impuesto creado en 1º de Abril de este año

sobre el pescado viro, hasta que se aclare ó se obtenga una resolucion del Gobierno de España.

Permanecemos de V.s respetuosamente.

Key West, Mayo 12 de 1882.

(firmado) Fogarty & Johnson
" Enrique Parodi
" Fernando J. Moreno
" W D. Cash
" John Lourdeln
" James C. Curtis
" Thomas Shultz
" Samuel Tiler.

Inclosure N° 2.
With Dispatch N°. 1145.
Havana, May 29th 1882.
Copy.

U. S. Consulate General
Havana, May 23d 1882.

Messrs Fogarty and Johnson,
and others.
Key West.
Fla:

Gentlemen:

Replying to your communication of the 12th inst: I beg to say, that the course of procedure prescribed to this Consulate General, prevents it, in the absence of instructions from the Department of State at Washington, from initiating negotiations with the Governor General of the Island, for the introduction of live fish from the coast of Florida

Florida for sale in the markets of Havana.

However, with the view of subserving your interests, I send by this week's mail a translated copy of your communication to the Department, which I respectfully submit for its action.

I remain, very respectfully,

Your Obedient Servant

(Signed) R. O. Williams

Vice Consul General.

DEPARTMENT OF ST
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Dft. Clair

No 1146. U.S. Consulate General
Havana, May 30th 1882.

Mr Williams, to the
Department of State.

Appointment of Mr Adam
Badeau as Consul General of
the United States at this port.

Acknowledging receipt of the
Department's separate instruction,
regarding the delivery of this
office and its appurtenances to
Mr Badeau.

No 1146. U.S. Consulate General

Habana, May 30th 1882.

Hon. J. C. Bancroft Davis -

Assistant Secretary of State.

Washington.

Sir:

Your separate instruction, No 1, dated Washington, 22d instant, informing me of the appointment of Adam Badeau, Esquire, of New York, as Consul General of the United States at this City, has been received this day, and I have the honor to state in reply, that your said instruction for the delivery of the office and its appurtenances, will be complied with immediately upon the application therefor, by Mr Badeau.

I am, Sir,

very respectfully -

Your Obedient Servant.

R. O. Williams

Vice Consul General.

DEPARTMENT OF STATE
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Ans'd
June 9/82

No. 1147. U.S. Consulate General
Havana, May 31st 1882.

Mr. Williams, to the
Department of State,

Accompanying a sealed package, containing $20,000 - in bonds of the United States to be forward-ed to Mr José Manuel Mestre. P.O. Box No 2595.

Package enclosed.

No 1147. U.S. Consulate General

Havana, May 31st 1882

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

At the request of Mr A.G. Mendoza, of this City, I transmit herewith a sealed package, addressed to Mr José Manuel Mestre, P.O. Box No 2595, New York city, containing — $20,000.- (Twenty thousand dollars) in certificates of stock of the United States, which I respectfully request may be forwarded safely to its address, through the registered mail, for which purpose seventy five cents are inclose to cover postage.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant.

R. O. Williams
Vice Consul General.

Package enclosed.

DEPARTMENT OF STATE
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No 1148. U.S. Consulate General.
Havana, June 1st 1882.

Mr Williams, to the
Department of State

Commercial Agency of the United States at Cárdenas.

Transmitting copy and translation of a communication from the Political Secretary of the General Government of this Island regarding the provisional recognition of Mr Joseph A. Nunez, as Commercial Agent of the United States at the port of Cardenas, by the Governor General of Cuba.

One inclosure.

No 1148. U.S. Consulate General.

Havana, June 1st 1882.

Hon J.C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

Referring to your instruction No 654, and to my dispatch No 1140, respectively dated May 13th and 23d, ultimo, I have now to enclose copy and translation of a communication from the Political Secretary of the General Government, dated the 29th, ultimo, in which he informs me that the Governor General has provisionally recognized Mr Joseph A. Nunez, in the capacity of United States Commercial Agent at the port of Cardenas.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant

R. O. Williams

Vice Consul General

Inclosure

Inclosure

1- The Political Secretary to Mr-
Williams May 29th 1882.

Inclosure Nº 1.
With Dispatch Nº 1148.
Havana, June 1st 1882.
Translation.

Government General of the Island of Cuba. Office of the Secretary.

Political Bureau.

General Affairs.

H.E. the Governor General, in the exercise of his attributes & authorized by article 21., of the Regulations respecting Foreign Consuls, in force in this Island, & has been pleased to recognize Mr. Joseph A. Nunez, provisionally, as Commercial Agent of the United States at Cardenas; and he may forthwith discharge the duties of his office, with the customary limit-
-ations until his corresponding Regium Exequatur shall have been

been granted him.

Which, by order of H. E. I participate to Y. H. for your knowledge and other effects.

Habana, 29th May 1882.

M. Diaz de la Quintana

To the Consul General of the United States.

Co/oy.

Gobierno General de la Isla de Cuba.

Secretaria.

Seccion de Politica.

Asuntos generales.

El Exmo Señor Gobernador General, en uso de las atribuciones que le concede el articulo 21 del Reglamento de Cónsules Extrangeros vigente en esta Isla, se ha servido reconocer provisionalmente á Mr Joseph A. Nuñez, como Agente Comercial de los Estados Unidos en Cárdenas; pudiendo desde luego entrar en el uso y ejercicio de sus funciones, con las limitaciones de costumbre y hasta tanto desciende el Regium Exequatur correspondiente.

Lo que, de órden de S.E., participo á VS. para su conocimiento y demas efectos.

Dios gue á VS muchos años.

Habana, 29 Mayo de 1882

(signed) M Diaz de la Quintana.

Sor Cónsul General de los Estados Unidos.

Mr O'Connor
Consular Bureau to ack
& Tell Consul Genl what has been done
by H Clay O'Connor
June 27/82

Informal Application
June 28/82

No. 1149. U.S. Consulate General
Ackd June 30/82 Havana, June 2d 1882.

Mr Williams, to the
Department of State.

Fines on American vessels.

Transmitting several copies and translations of communications between this Consulate General and the Superior Authorities of this Island in connexion with a fine of $386.10 gold, imposed on the American brig "Woodbury" by the Custom House at the Port of Cienfuegos.

Three inclosures.

No 1149. — U. S. Consulate General.
Havana, June 2d 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

With the view of recovery, I beg to present to the Department, the case of the American brig "Woodbury" of Castine, Maine, J M. Brown master, upon which a fine of $386.10 has been recently imposed and collected by order of the Director General of Finances, through the Customs authorities of Cienfuegos.

The facts of this case are plainly set forth by Captain Brown in his affidavit made on the 11th ultimo before Wm P. Pierce Esq, United States Consul at Cienfuegos, copy of which is herewith adjoined for the information of the Department.

From

From this affidavit it appears that the manifest of the vessel is in error in one particular shipment, which mentions 20. Hhds of tins of lard, while in reality there were 25 Hogsheads of same.

But it also appears from this affidavit, and this is corroborated by accompanying documentary evidence, that the weight was correctly manifested, and this shows conclusively the absence of all intention on the part of the Captain to defraud the Spanish Treasury of its lawful revenue.

On the 13th ultimo, I called upon the Director of Finiance in regard to this case, with the view of obtaining a rescindment of the fine, as urging that as no harm had accrued to the Government, in consequence of the error, that

-no

no penalty should be imposed.

The Director General replied that according to the General Ordinances of the Customs, lately published, Article 121, paragraph 12, he was debarred from arresting proceedings in the case but that upon a proper representation of the facts the fine would be condoned and I left him with the impression that its enforcement would be held in abeyance. I was also encouraged to this belief by the contents of the letter of the Director General of Finances to the Governor General, upon this subject, which original letter with its translation are hereto annexed. 2/

In further elucidation of the matter, I beg also to accompany copy and translation of a communication dated the 25th ultimo received from 3/

the

the Director General, informing this office that the Governor General had asked the Minister of the Colonies for permission to condone that part (sic.) of this fine that pertains to the Treasury. This language suggests that there is a part that does not pertain to the Treasury, and leaving the inference that there is a part pertaining to some one else, or say the officials and to this point, I beg most respectfully to call the particular attention of the Department, to the end that if the condonation is obtained through the Minister of the United States at Madrid, that it may mean the return of the entire amount of the $386.10 and that no part of it be retained, on the pretext that it belongs as a moiety of the officials.

I have the honor to be, Sir,

very respectfully

Your

Your Obedient Servant.
R. C. Williams
Vice Consul General.

Inclosures-

1— Affidavit of Captain W S. Brown of the Amr Brig "Woodbury" dated Cienfuegos, May 11th 1882.

2— The Director General of Finance to the Governor General, & original and translation. dated 19th May 1882.

3.— The Director General of Finance to Mr Williams, copy and & translation, dated May 25th 1882.

Inclosure No 1
With Dispatch No 1149
Havana, June 2d 1882.
Copy.

U. S. Consulate at -
Cienfuegos, May 11th 1882.

Personally appeared W. S. Brown, master of the American Brig "Woodbury" of Castine Me, who being duly sworn states, that he sailed in and with the said Brig from the port of New York, bound for this port, on the 10th day of April 1882 with cargo of general merchandise consigned by Maitland Phelps & Co of New York to Garcia & Co of Cienfuegos.

That the bills of lading for said cargo were correctly prepared and presented to him and were duly signed by him; that a manifest of

this

the cargo was handed to him, by his broker for his signature, and that relying upon the accuracy of his broker he signed the manifest without carefully comparing it with his Bill of Lading - the manifest was then presented to and certified by the Spanish Consul and then delivered to the deponent.

States that upon arriving at Cienfuegos on the 28th ultimo he was informed by his consignees that a dis= =crepancy existed between his manifest and his cargo as shown by the bills of lading, triplicate of the bill of lading and manifest having been forwarded to them by the consignors.

The affiant was not aware of the discrepancy up to the time of receiving

this

this information. The said con=
=signee also informed the said
master (Brown) that they
had given notice of the dis
=crepancy in writing to the
Hon E. M. Cadrana, Co
collector of this port. The de=
affiant states that he himself
then laid the facts of the
case before the said Collector,
assuring the Collector of his innocent
intentions and that the Collector
expressed to him a belief in his
innocence but thought he, the
Collector, would be bound by his
instructions to impose a fine
notwithstanding.

The said Brown states
that the discrepancy referred to
consists in the fact that twenty
five hogsheads of lard were
transported from New York
and delivered at this port,
whereas only twenty hogsheads
of lard were declared on the
manifest.

manifest; but the full number of pounds, transported and delivered were duly entered at the Custom House and the manifest called for the same number of pounds so entered and delivered

Said Brown states further that the duties on the full number of pounds of lard contained in the twenty five hogsheads have been duly and fully paid.

(signed) W. S. Brown
Master of American Brig Woodbury

Sworn and subscribed to before me the 11th day of May 1882

(signed) Wm. P. Pierce
Consul

L. S.

Inclosure Nº 2
With Dispatch Nº 1149.
Havana June 2. 1882.
Translation —

General Direction of Finance
of the Island of Cuba.

Private.

To His Excellency,
Mr Luis Prendergast
My distinguished friend and
dear General:

The American
steamer (brig) "Woodbury," brought
to Cienfuegos 25 Hogsheads of lard,
and the manifest only said twenty
hogsheads; therefore, she brought
five packages over and was fined
according to paragraph 12 of
article 121, or say two to ten
times the amount of duties,
and the Collector has applied
that of twice the duties.

The case having been
referred to this Department,

it has approved the said fine.

But as the weight was right, upon which the duties are assessed, that difference should be considered as an error; for which reason a separate process (expediente) will be formed to condone the fine, reporting the same to the Minister of the Colonies for his final decision.

I remain your affectionate friend and Obedient Servant.

Carlos de Rojas

19th May 1882.

DIRECCION GENERAL DE HACIENDA
DE LA
ISLA DE CUBA.
PARTICULAR.

Excmo Sor. D. Luis Prendergast.

Mi distinguido amigo y querido General: el vapor Americano "Woodbury" condujo á Cienfuegos 25 bocoyes de manteca y en el manifiesto se decia veinte bocoyes; por consiguiente, trajo cinco bultos de mas y se le impuso la multa que marca el inciso 12 del artº 121, ó sea de dos á diez veces el derecho, habiendosele aplicado por el admor. dos veces el derecho.

Consultado el caso, esta Direc-

reccion aprobó la multa indicada.

Pero como el peso era el mismo, que es por donde se pagan los derechos, debe considerarse aquella diferencia como un error, por lo que se forma expediente para condonar aquella multa, dando cuenta al Ministerio á quien compete la resolucion.

Queda de V. afmo. amigo S.S.
q. b. s. m.

Carlos de Rojas

17/Mayo/82

Inclosure Nº 3
With Dispatch Nº 1149
Havana, June 2d 1882.
Translation.

General Direction of Finances.
of the Island of Cuba
Nº. 11.888 Fº 296.

By the steamer leaving this day, His Excellency the Governor General sends an official communication to the Ministry of Ultramar, soliciting the condonation of that part of the fine, which pertains to the Treasury, imposed at Cienfuegos upon the Captain of the American brig "Woodbury" on account of an error in his manifest.

Which I communicate to Y. E. for your cognizance

× × × ×

Habana 25th May 1882.
Cárlos de Rojas.

To

To the Consul General of the
United States in this Capital.

Copy

Copy.

Dirección General de Hacienda de la Isla de Cuba.

11,888 f. 296.

En el correo de hoy se oficia por el Excmo Señor Gobernador general al Ministerio de Ultramar solicitando la condonación en la parte que corresponde á la Hacienda, de la multa impuesta en Cienfuegos al Capitan del bergantin americano "Woodbury" por error en su manifiesto.

Lo que participo á V.S. para su conocimiento.

Dios gue á V.S. m.s a.s

Habana 25 Mayo 1882.

Carlos de Rojas.

Sr. Cónsul General de los Estados Unidos en esta Capital.

copy to Mr Hamlin
for information
instructions
Sept 28 82
E H L

Judge O'Connor
Asst
July 1 '82

Lib Clerk

No 1150. U.S. Consulate General.

Havana, June 7th 1882.

W^m Williams, to the

Department of State.

Fine imposed at Cienfuegos, in this Island, on the American brig "Mary Bartlett."

Transmitting sundry copies and translations, and copy and translation of a protest of the writer, addressed to the Governor General of Cuba, in regard to the above fine.

Three inclosures.

N° 1150. U.S. Consulate General.

Havana, June 7th 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

Referring to my despatch N° 286, dated the 13th November 1875, written in relation to the decree issued by the Captain-General of this Island, on the 29th of November of that year for the suppression of smuggling; and to the Department's instruction N° 179 of the 8th December 1875 in reply to my said despatch; together with the communication of the Honorable Hamilton Fish, Secretary of State, on the same subject, dated 2d December 1875, and addressed to Mr Mantilla, the then Spanish Minister to the United States, copies of all of which for

the

1/2/3/ the more convenient reference of the Department, being here with adjoined, I now have to accompany for the information and action of the Department, copy and translation of a protest that I have presented to H.E. the Governor General of the Island, against the fine of $400. imposed upon the American brig "Mary Bartlett", Captain C.H. Welch, arrived with a general cargo at the port of Cienfuegos April 28th of the present year from New York.

This fine, like many others now hanging over several American steamships, regular traders to this Island, is imposed solely, because the Captain did not express with numeric and generical exactness, the contents of the packages of merchandise composing his cargo from New York to Cienfuegos, which is just as

great

great an impossibility for the captain to perform, as it is irrational, unusual and pretentious on the part of the Government of this Island to claim. He has discharged his cargo in full conformity with the packages and shipping marks expressed in the manifest delivered by him to the customs authorities on arrival at Cienfuegos, and nothing further should be claimed of him.

I have deemed it my duty to protest on this occasion before the Governor General; because I have reason to apprehend that the customs authorities of Cienfuegos are about to enforce the collection of this fine; and should this be permitted, on the part of the United States Government, it will be giving consent to a

precedent that will become the rule by which several other analogous cases now pending will be adjudged.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant
R. D. Williams
Vice Consul General.

Inclosures.

1. ___ Mr Williams to the Depart=
=ment of State November 13th 1875.
2. ___ Mr Cadwalader to Mr Williams,
accompying copy of a commu=
=nication addressed by the Hon
the Secretary of State to Mr
Manlilla - dated respectively,
December 8th & 21st 1875.
3. ___ Protest of Mr Williams ad=
=dressed to the Governor General
dated June 2nd 1882.

Inclosure Nº 1-
With Dispatch Nº 1150-
Havana, June 1st 1882-
Copy.

Nº 286. U.S. Consulate General.
Havana, Novembes 13th 1875.

Hon John L. Cadwalader-
assistant Secretary of State-
Washington.

Sir:

I beg to indose for the
information of the Depart=
-ment a printed translation
of a decree issued by the Captain
General of this Island on the
29th ultimo for the better
suppression of smuggling.

The execution of that
part of this decree referring
to Captains of vessels, cannot
prove otherwise than a source
of great annoyance to the
commerce of the United States

with

with this Island; inasmuch as the fines imposable for non-conformity with its provisions, are to be specially levied upon the Captains, the amounts of which in most instances will be beyond their pecuniary capacity to satisfy, and then the penalty must necessarily fall upon the vessels, as their Custom House clearance is to be withheld until the said fines be paid or guaranteed by the consignees here, who in the order of things, will naturally refuse to assume this responsibility, hence delay to the vessels, increased expenses in the way of wages and maintenance of officers and crew, as well as the stagnation of the capital invested in the vessels, all of which must necessarily follow as consequences of the enforcement of these conditions.

It

It is next to an impossibility for Captains to comply with the obligations imposed by this decree.

The exports from the United States to Cuba are comprised principally of bread-stuffs, provisions and cooperage materials, accordingly flour that is ground and packed in different localities of the Western and Middle States, such for instance as, St. Louis Mo, Richmond Va, Baltimore Md, and Rochester N.Y., of lard and ham rendered, cured and packed at Louisville, Kentucky, Cincinnati O., Indianapolis, Terre Haute, Vincennes, Indiana - Chicago, Ill. - Milwaukee Wis. - Dubuque, Iowa. - and other Cities and towns of these States.

The cooperage brought here

here is generally manufactured or the raw material furnished through Norfolk, Va. - and the interior portions of that State, Maryland, Pennsylvania, New York and Rhode Island, and to an eminent degree from the State of Maine.

There are other minor articles from the United States, to Cuba, such as coal oil, sewing machines, drugs &c.

Now, if captains are to be responsible for the contents of these packages and are to be compelled by the Spanish Government to act the detective against the connivance and collusion of its own officials with the importer here, then every package will have to be examined by them on the wharves, alongside of which their vessels are to load, at Bangor, Bath, Portland, Boston, Newport,

Bristol

Bristol, New York, Philadelphia Baltimore, New Orleans, to see that the contents in every case conform to the "Outer Labels" and there is nothing inserted for the purposes of contraband; and it may be doubted if Spanish law can, in its effects reach to so great an extra-territorial degree as is entailed by this decree.

Also if captains are to be responsible for the weight of these packages then they must see themselves to the re-weighing of them; all prior to the stowing of them on board.

These operations would involve so much extra labor, expense and drawbacks, that they would soon render the carrying trade of the United States with Cuba almost impracticable

This

This clause is also contrary to that time out of memory and universal commercial usage, which relieves the Captains from the responsibility of "weight and contents," by special clause imprinted to this effect, in the Bills of Lading signed by the captains of vessels of all nations.

In this decree the Captain is pointed out as the pivotal point upon which smuggling here hinges; when it is well known that he rarely has intervention, or knowledge of the smuggling of cargo brought in his vessel.

The starting point to all fraud in the Customs is with the Custom House officials themselves; the agency in the matter, of the importers or the little that the Captains might

themselves

themselves be able to exercise as accesories would be futile, (——) - without the prior consent and cooperation of the former, whose duty it is — strictly to examine the contents and weight of all goods introduced here for consumption, and the delivery of which to the importer, is never allowed but by their orders.

The absurdity of attribut
=ing original culpability to the Captains, will appear the more glaring to the Department when it is acquainted with the fact that on every Ameri=
-can Steamer arriving at this port, that at least four Custom House officials are placed on board, where they remain until she leaves port, with no other object than that of guarding against smuggling, and on sailing vessels rarely less than two are placed on board

with the same object.

If the Captain General is really serious in the intention to suppress smuggling, then the first object of his attention should have been his own employees, because if these are incorruptible, no smuggling worth notice can be done.

I have the honor to be, Sir,

Very respectfully,

Your Obedient Servant

(signed) R.O. Williams

Vice Consul General.

Inclosure No. 2-
With Dispatch No 1150-
Harana, June 7th 1882.
Copy.

No 179. Department of State.
Washington, December 8th 1875.

R. O. Williams Esq-
Vice Consul General of the
United States.
Havana, Cuba.

Sir:

With reference to your
despatch No 286 of the 13th ultimo;
which enclosed the recent decree
of the Governor General of Cuba
for the better suppression of
smuggling, I now transmit to
you herein a copy of a note
addressed to Mr Mantilla the
Minister of Spain in this city
on the 2nd instant. This note
contains the views of the Depart
=ment on the subject and is
communicated to you for your

information. Since it was written it is ascertained that Mr Mantilla has been in correspondence with the Governor General in relation to the decree. It is accordingly deemed unnecessary to instruct you to protest against its enforcement in case of American vessels, as was contemplated on the receipt of your despatch, but it is desired that you will be observant of all proceedings taken under the decree, or in relation thereto, and report them for the Department's information.

I am, Sir,

Your Obedient Servant

(signed) John L. Cadwalader.

Assistant Secretary.

Copy

Copy.

Enclosure.

Mr Fish to Mr Mantilla.

December 2d. 1875.

Department of State,
Washington, 2d Decr. 1875.

Sir:

I have the honor to inform you that a despatch has recently been received from the Vice Consul General of the United States at Harana, transmitting a translation of a decree issued on the 29th October last by the Captain General of the Island of Cuba, having for its object the suppression of smuggling. The third section of this decree provides that if on unloading a vessel which has arrived at that port there should be fount a difference in the number or contents of the parcels expressed in their invoice and those in the manifest the

Captain

captain shall pay a fine of
two hundred dollars in gold
for each parcel above or below
the declared number, or which
contain merchandise of a
different character from that
stipulated in the manifest -
and the vessel shall remain
uncleared by the Custom House
until such fine shall have been
paid, or the consignee holds
himself responsible for said
payment. While from time to
time, the adoption of measures
may be required to suppress
smuggling, I beg leave to call
attention to this decree, many
of the provisions of which are
unusual and, if enforced, cannot
prove otherwise than a source
of great annoyance to the
commerce of the United States
and must raise troublesome
and vexatious questions. You
will perceive that penalties,

large

large and in no measure
dependent on the value of the
articles imported, are to be
imposed upon the Captains
of vessels, without regard to
any question of intent on their
part to commit fraud, the
amount of which, in most
instances at least, if proper
as against the guilty parties
will be beyond the pecuniary
ability of the Captains to satisfy.
In this event as you will per-
-ceive the vessels are to be detained
unless payment is made on
the Captains behalf, to the
great injury of the owners and
of all shippers concerned.
Again the exports from this
country on American vessels
to Cuba, consist of articles brought
to the sea-board from interior
States, and it is generally an
impossibility for the Captain
of a vessel to know the weight

and

and contents of such packages.
He surely cannot be expected
if he were allowed, to examine
each one before it is placed on
board his vessel - or required to
weigh them on the Dock. If
it were possible for the Captain
to adopt measures to render
any fraud or error impossible,
it would involve such extra
labor and expense, as would
soon tend to render the carrying
trade of the United States with
the Island of Cuba, almost
impracticable. But the
principal objection to this
decree is that while it pro-
=vides heavy penalties for
mistakes in statements that
may be occasioned by no
fraudulent intent, it places
the responsibility for all errors
or frauds upon the Captain
of a vessel and compels him
to insure the authorities

against

against smuggling - In general provision against smuggling is made by a proper examin= =ation by the officials at the port of entry - and by proper penalties against offending parties with guilty intent and against the particular goods connected therewith.

This decree would com= =pel a captain to provide all the examinations &c required by the government, and even make him liable when the officials of the foreign Custom House had connived with exporters to perpetuate a fraud.

Under these facts, and feeling that it is for the common interest of the two countries that questions should not arise and feeling that injuries will certainly be inflicted on innocent persons

by

by this decree I hasten to
invoke your cooperation that
these injurious effects may
be averted.

Accept, Sir, a
renewed assurance of my
very high consideration.

(signed) Hamilton Fish.

Inclosure No 3
With Dispatch No 1150-
Havana, June 7th 1882-
Translation.

Consulate General of the United States of America at Havana
June 2nd 1882.

To His Excellency the Governor General.

&c. &c. &c.

Excellency:

I have the honor to call the attention of Y.E. to the facts regarding the American brig "Mary Bartlett", C. H. Welch, master, arrived on the 28th day of April, ultimo, at the port of Cienfuegos, from New York, upon which vessel a fine of Four hundred dollars. ($400.) has been imposed, as is alleged, for non-compliance with the prescriptions of article

26, paragraph 3d, of the Customs Ordinances, the penalty having been imposed in consonance with paragraph 2nd of Article 121.

The undersigned regrets to have to contradict the reasons given for the imp=osition of this fine; inasmuch as according to the data on record in this office, it appears that upon the discharge of the cargo of this vessel all packages with their corres=ponding marks turned out in perfect conformity with the manifest, that upon her entry was presented by the captain to the authorities of the port; therefore, the Captain has fulfilled all the obligations which can be reasonably exacted of him and consequently, there is no reason for the imposition of a fine.

As I understand,

Your

Your Excellency; the reason by which it is desired to make the Capstain responsible consists in the difference noted between the weight stated in the man-ifest and that which appeared upon the discharge of the cargo; but this is no fault of the Capstain, and conseguent-ly neither he nor his vessel can be objects of penalty at the hands of the Govern-ment of this Island.

From time immemorial, it has been customary with the maritime and commercial nations of the world - and which custom by its antiquity, has acquired the force of universal law, not to hold capstains responsible for the weight or contents of packages of merchandise carried in their vessels. Nor could it be otherwise. Can capstains take

upon themselves the right to
observe, examine, undo and
thus damage the property
of shippers, with the sole
object of satisfying the exigen-
-cies of foreign Governments,
when the primary obligation
which they make with shippers,
is to deliver merchandize in
the same good condition as
that in which they receive it.?

Neither, can it be supposed
that Governments can assume
that extra-territorial jurisdict-
-ion which is implied and
understood, by the measure
which the Government of this Island
pretends at present to enforce
upon this and other American
vessels.

Can the Government of
the Island of Cuba exact, that
the merchandise in the different
mercantile depots, railroad
stations, wharves etc. of the

different

different ports of the United States, shall be weighed, opened and examined in case the same were purchased for exportation to Spanish countries? It is clear that the Government of the Island of Cuba by right cannot exercise such jurisdiction within the territory of the United States: and if it possesses no such extra-territorial jurisdiction — How can it exercise it?

But Governments are compelled to watch over and see to the due compliance of the tariff laws: granted; for this purpose they fit up buildings called Custom Houses, within their national territories; corps of public employees are organized, respectively employed as custom house officers, weighers, watchmen, interpreters, appraisers, auditors and

<u>administrators</u>

administrators to examine and
fix and appraise the value of
merchandize from abroad,
and to collect according to the
tariff, and pay into the Treasury
of the State all duties due
thereon: Captains take no part,
whatever, in these operations
and the only parties responsible
to Governments, are their own
employees.

In conclusion, Your
Excellency, I sincerely and verily
believe that Captain Welch of
the aforesaid American brig
"Mary Bartlett" has complied
in the present instance with
all the conditions which the
law can reasonably demand
of him; therefore, complying
with the instructions which
I have received for such cases,
I am peremptorily compelled,
with due respect towards the
Government of this Island,

and

and to Your Excellency, to protest in the name of the Government of the United States with all the force legally necessary against the collection of the said fine unjustly imposed upon the American brig "Mary Bartlett," and to beg Y.E. at the same time, as Chief authority of the Island, and in order to more prudently treat these questions, that you be pleased to order that no fine shall in future be collected of any American vessel without it having first been expressly approved by Y.E. or by the Ministry of Ultramar.

By the first mail to the United States a copy and translation of this communication will be sent to the Honorable the Secretary of State of the United States, at Washington for his

information

information and action.

I have the honor to be,
with great respect,
Y. E's Obedient Servant,
R. O Williams
Vice Consul General.

Copy

Copy.

Consulado General de los Estados Unidos de America. en la Habana, Junio 2 de 1882.

Excmo Señor Gobernador General

&c &c &c

Excelencia:

Tengo el honor de llamar la atencion de V.E hacia los hechos respecto al bergantin Americano "Mary Bartlett", su capitan C A. Welch, llegado el 28 de Abril p/pdo, al puerto de Cienfuegos, procedente del de New York, á cuyo bugue se le ha impuesto una multa de cuatro cientos pesos ($400-), segun se alega, por faltar á las prescripciones del articulo 26, inciso 3° de las Ordenanzas de Aduanas, fijandose la penalidad segun el inciso 2°. del articulo 121.

El infrascrito siente tener

que impugnar las razones aducidas para la imposicion de ésta multa; pues segun los informes que existen en esta oficina la descarga de este bugue ha resultado de un todo conforme con el número de los bultos y marcas estam= =pados en el manifiesto que á su entrada fué presentado por el capitan á las autoridades del puerto: por lo tanto el Capitan ha cumplido con todas las obligaciones que en razon se le puede exigir y en su virtud no hay lugar á multa.

Segun tengo entendido Excmo Señor el motivo porque se quiere atribuir responsabilidad al Capitan, es la diferencia= que se nota entre el peso del manifiesto y el que ha resultado en la descarga: más esto no constituye falta ni culpa alguna por parte del Capitan, y por

consiguiente, ni él, ni su barco pueden ser objetos de castigo por parte del Gobierno de esta Isla.

Desde los tiempos mas remotos de los pueblos maritimos y comerciales ha sido costumbre y aun lo és, de todas las naciones mercantes del mundo, la que ya tiéne adquirida por su antigüedad, la fuerza de ley universal, de no hacerse los capitanes responsables por el peso ni contenido de los bultos de mercancias que en sus naves se trasportan. Ni tampoco podria suceder otra cosa? Acaso, Excmo Señor, los capitanes pueden arrogarse el derecho de abrir, examinar, descomponer y asi perjudicar las propiedades de los embar-
-cadores solo con el objeto de satisfacer las demandas de los Gobiernos estrangeros cuando

la condicion primordial
que contraen ellos para con
los embarcadores, es la de
entregar las mercancias en
el mismo buen estado en
que los reciben. ?

Tampoco cabe suponer
que los Gobiernos pueden ejercer
la jurisdiccion extra-territorial
que se implica y se desprende
de la medida que el Gobierno
de esta Isla pretende hoy en
dia llevar adelante respecto
á éste y otros barcos Americanos.

? Acaso, Excmo
Señor, puede el Gobierno de
la Isla de Cuba compeler
que en los depósitos mercant-
-iles; y en los paraderos de
los ferro-carriles y en los
muelles de los diferentes puertos
de los Estados Unidos, se pese,
se mida ó se abra y examine
las mercancias por si se
comprasen algunos de ellas

para

para la exportacion á los
países Españoles ? Claro
está que el Gobierno de la Isla
de Cuba por su propio
derecho no puede ejercer
tal jurisdiccion dentro de
los territorios de los Estados
Unidos : y si no tiene esta
jurisdiccion extra-territorial,
¿ como lo ra á ejercer. ? -

Pero los Gobiernos tienen
que vijilar para el cumplimiento
de las leyes arancelarias : convenio;
para esto establecen edificios
llamadas Aduanas dentro
del territorio nacional de
cada uno ; organizanse los
correspondientes cuerpos de
empleados públicos llamados
respectivamente aduaneros,
pesadores, vigilantes, interpre
=tes, vistas, contadores y ad=
=ministradores, para examinar,
tasar y avaluar las mercancias
que de afuera llegan, y

Cobrar.

cobrar segun marcan los
aranceles y entregar á las
Cajas del Estado los derechos
que con este motivo se adeudan:
los capitanes de los barcos
estrangeros no toman parte
ni arte en las operaciones
encaminadas á este fin, y
solo son responsables al
cumplimiento para con los
Gobiernos, sus propios empleados.

Reasumiendo, Excmo
Señor, creo sincera y leal
=mente que el capitan Welch
del referido bergantin Ameri=
=cano "Mary Bartlett" ha
cumplido en el caso dado con
todo lo que en razon la ley
le puede exigir, por lo tanto,
y cumpliendo con las instruccion=
=es que para tales casos tengo,
me veo en la perentoria necesidad,
usando del mayor respeto
hacia el Gobierno de esta Isla,
y la persona de V.E, de protestar

en

en nombre del Gobierno de los Estados Unidos y con toda la fuerza que en derecho sea necesaria contra el cobro de la citada multa por ser indebidamente impuesta al bergantin Americano "Mary Bartlett" y de suplicar al mismo tiempo á V.E., como Jefe Supremo de la Isla, y á fin de tratar estas cuestiones, con el mayor acierto, se digne mandar que no se efectue de aqui en adelante el cobro de ninguna multa que se imponiera á los barcos Americanos en los puertos de esta Isla, sin que sea primero expresamente aprobado por V.E. ó por el Ministerio de Ultramar.

Por el primer correo se mandará copia y traduccion de esta comunicacion al Señor Ministro de Estado

de

de los Estados Unidos en
Washington, para su conoci=
=miento y fines conducentes.

Tengo el honor de ser,
con el mayor respeto, de VE.
Seguro y Obediente Servidor.
(Firmado) R.O. Williams
Vice Consul General.

DEPARTMENT OF STATE
JUN 10 1882
RECEIVED

DeClair

File Telegram

Havana June 9. 1882.

Hon.
J. C. B. Davis.
Assistant Secretary of State,
Washington D. C.

Three hours before his death,
a legitimate brother of Criados,
informed me that he had reasons
to suspect that a will was
then being fabricated in favor
of persons calling themselves
Criados natural children, and
that it would be placed in a
desk or in an Armoire, and
that upon his demise I would
be asked to seal them, so that
this last will and Testament would
appear (at?) their Reopening.
This suspicion was Corroborated
by the statement of the irresponsible
parties who afterwards brought me
the request to seal the pieces.

Not wishing to be the cover
of suspicious designs, and
without giving my reasons, I
referred them to the district Judge
who then sealed the pieces.
No recognized relative of Criados
has asked my intervention, Neither
was I requested to be present
at the making of the will.

Williams.
Vice Consul General.

complete.

DEPARTMENT OF STATE
JUN
15
1882
RECEIVED

No clair

No 1151. U S. Consulate General.
Havana, June 9th 1882.

Mr Williams, to the
Department of State.

Private telegrams exchanged
with the Department of State.

Requesting that a special
alphabetical cypher code be
furnished for the use of this
office.

No 1151. U.S. Consulate General

Havana, June 9th 1882.

Hon J. C. Bancroft Davis-

Assistant Secretary of State

Washington.

Sir:

It occasionally becomes necessary to communicate privately with the Department by cable, and as it has, heretofore, been customary in such particular instances to use a private alphabetical cypher code, and there being no such form here at present, I have respect=fully to request that one may be furnished this office for the pur=poses above mentioned with necessary instructions for its use.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

R. O. Williams

Vice Consul General.

To Mr Hamlin
Mr Thornton
Dis to
June 23/82
Dept

RECEIVED JUN 15 1882

Ack'd June 27/82
D. to Clerk
& Trader

No 1152. U.S. Consulate General
Habana, 9th June 1882.

Mr Williams, to the
Department of State.

Fines on the American mail steamships "Niagara," "Saratoga" and "Newport," imposed by the customs authorities of this port.

Transmitting copy and translation of a protest, addressed by the writer to the Governor General of this Island.

One inclosure.

No. 1152. U.S. Consulate General.
Havana, 9th June 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.
D.C.

Sir:

Referring to my dispatch No. 1150, dated the 7th instant: I now have the honor to transmit to the Department copy and translation of my communication addressed to H.E. the Governor General of the Island dated the 5th instant, protesting against sundry fines amounting together to $16,561.13, imposed by the Custom House authorities of Havana, on the American steamers "Niagara" "Saratoga" and "Newport", plying weekly between New York and this port.

I am, Sir, very respectfully
Your Obedient Servant.
R. O. Williams
Vice Consul General.

Inclosure

Inclosure-

1- Mr Williams to the Governor General, June 5th 1882.

Inclosure No. 1 -
With Dispatch No 1152 -
Havana, June 9th 1882 -
Translation.

Consulate General of the United States of America at Havana.

To His Excellency the Governor General.

&c &c &c

Excellency:

It is with great regret that I have to call the attention of Y.E. regarding the following fines which by order of this Custom House have been imposed on the American steamers "Niagara" "Saratoga" and "Newport" that make weekly trips between the ports of New York and Havana, which are as follows;

-1882-
February 24th "Niagara" - no amount is stated
March 21. "Saratoga" $1,755.-
Over $1,755.-

-1882-			Brought over	$ 1,755.—
March	21.	"Newsort."	"	92.90
"	23.	"Niagara."	"	252.—
"	24.	"Niagara."	"	81.40
"	29.	"Niagara."	"	74.—
"	29.	"Niagara."	"	243.22
April	4.	"Newsort."	"	85.12
"	20.	"Newsort."	"	4,914.—
"	24.	"Newsort."	"	421.20
"	26.	"Saratoga."	"	407.89
May	22.	"Newsort."	"	1,365.—
"	25.	"Niagara."	"	2,730.—
"	25.	"Niagara."	"	2,730.—
"	27	"Niagara."	"	44.40
"	31.	"Newsort."	"	1,365.—
			Total	$ 16,561.13.

On this occasion, Your Excellency, I have no other remedy but to reiterate the same argument which in other instances I have adduced in identical and analogous cases:

1st. I find that the captains of the said steamers have complied in every respect with all the

obligations

obligations which it is rational for the Government of this country to demand of them, to wit: to deliver cargo according to the manifests which upon arrival are presented to the authorities of the port.

2nd. The exaction on the part of the Government of this Island, that masters of American vessels shall manifest with numeric and generical exactness the weights, measures and contents of the merchandise they bring to this port, is equivalent to assuming, in this matter, and contrary to a universal custom, a right over them which the Government of the United States has never yet recognized to any nation.

Therefore, Your Excellency, as the representative at this port, of the Government of the United States of America, and

with

all due respect I am constrained to protest once, twice, thrice and as many more times as may be necessary against this Govern= =ment as the representative of Spain in case the said fines should be enforced and collected of the American steamers "Niagara", "Saratoga" and "Newport", also claiming in the name of my Government all losses and damages which such a measure may originate.

For the information and action of Y.E. I have to inform you that by first ~~a~~ steamer for the United States a copy and translation of this communication will be transmitted to the Hon the Secretary of State, of the United States at Washington

× × × ×

Harana, 5th June 1882.

R. O. Williams
Vice Consul General.

copy

Copy.—

Consulado General de los
Estados Unidos de América.
Habana.

Excmo Señor Gobernador General.

&c &c &c

Excelencia:

Es con harto sentimien=
=to que tengo que llamar la atención
de V.E. sobre las siguientes multas
que por órden de ésta Aduana
se han impuesto sobre los vapores
Americanos "Niagara" "Saratoga"
y "Newport", que hacen semanal=
=mente la travesia entre el puerto
de Nueva York y el de la Habana
y que son como sigue:

1882

Febrero 24	"Niagara."	no se dice la cantidad.	
Marzo 21	"Saratoga."	$	1,755.—
" 21	"Newport."	"	92.90
" 23	"Niagara."	"	252.—
" 24	"Niagara."	"	81.40
" 29	"Niagara."	"	74.—
	Vuelta	$	2255.30

2255.30

1882			de la Vuelta	$	2255.30
marzo	29	"	"niagara" - - - -	"	243.22
abril	4	"	Newport.	"	85.12
"	20	"	Newport.	"	4,914.—
"	24	"	Newport.	"	421.20
"	26	"	Saratoga.	"	407.89
Mayo	22	"	Newport.	"	1,365.—
"	25	"	Niagara.	"	2,730.—
"	25	"	Niagara.	"	2,730.—
"	27	"	Niagara.	"	44.40
"	31	"	Newport.	"	1,365.—
				$	16,561.13

En esta ocasion, Excmo Señor no tengo mas remedio que reiterar la misma argu= =mentacion que en otras ocasiones he hecho sobre casos analogos ó identicos.

1º ——— Encuentro que los capitanes de dichos vapores han cumplido de un todo con todas las obligaciones que le es racional al Gobierno de este pais exigirles; á saber entregar la carga segun el manifiesto que á su llegada

han

han presentado á las auto-
ridades aduaneras del puerto.

2º. El exigir por parte del Gobierno de esta Isla que los capitanes Americanos manifiesten con exactitud numérica y genérica, el peso, medida y contenido de las mercancias que conducen á éste puerto, es asumir en ésta materia y contra la costumbre universal un derecho sobre ellos que el Gobierno de los Estados Unidos aun no ha reconocido á ninguna nacion.

Por tanto, Excmo Señor, como representante en esta ciudad del Gobierno de los Estados Unidos de América y hablando con el debido respeto me veo en la necesidad de protestar una, dos, tres y cuantas mas veces fuesen necesarias contra éste Gobierno en representacion de el de España, por si se llegase

á hacer efectivas las citadas multas sobre los referidos vapores Americanos "Niagara", "Saratoga" y "Newport", reclamando asimismo en nombre de mi Gobierno todos los daños y perjuicios á que tal medida pudiese dar origen.

Para conocimiento de V.E. y fines conducentes, debo participarle que por el próximo correo se dirigirá copia de ésta comunicacion, con su traduccion, al Señor Ministro de Estado de los Estados Unidos en Washington.

Dios gue á V.E. m.s a.s

Habana, 5 de Junio de 1882.

(Signed) R. O. Williams.

Vice Consul General

To Mr Hamlin
Dis 6
June 23/82
Dupl

DEPARTMENT OF STATE
JUN
15
1882
RECEIVED

D. & Clain

Aces 8
June 27/82

No 1153. U.S. Consulate General
Habana, 9th June 1882.

Mr Williams, to the
Department of State.

Fines on the American steamer "Santiago" at the port of Cienfuegos.

Transmitting copy of the writer's protest, addressed to the Governor General of this Island.

One inclosure

No 1153. U.S. Consulate General.

Habana, 9th June 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington D.C.

Sir:

With reference to my dispatches Nos 1150 and 1151, respectively dated the 7th and 9th instant, I have the honor to enclose herewith, for the information and action of the Department, copy and translation of my protest as directed to H.E. the Governor General, under date of 7th instant, against the various fines, amounting to $6.6/3.32 imposed by the Custom House authorities of Cienfuegos upon the American steamer "Santiago", plying monthly between the ports of New York and Cienfuegos.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

R. O. Williams

Vice Consul General.

Inclosure

Inclosure -
1 - Mr Williams to the Governor
General June 7th 1882.

Inclosure Nº 1
With Dispatch Nº 1153.
Habana, June 9th 1882.
Translation.

Consulate General of the United States of America, at Habana

To His Excellency the Governor General.

&c &c &c

Excellency:

For the third time, within a few days, I have to trouble Y.E. in calling your attention to the unjust manner which, in my opinion, by order of the General Direction of Finances, it is proposed to proceed against the American steamer "Santiago", making monthly trips between the ports of New York and Cienfuegos by the imposition upon the said steamer of the following fines, to wit;

On

On her trips of	November	1881	$ 3,624.61
do	" Decr.	"	" 82.41
do	" Jany:.	1882	" 1,075.16
do	" Feby:	"	" 644 -
do	" Mch	"	" 1,247.21
	total.		$ 6,673.39.

Upon each one of the afore=
=mentioned trips, the capstain has
complied with all the obligations
which he has contracted with
the Custom House of Cienfuegos:
which in other words, was to deliver
his cargo as manifested, by packages
and marks in the "Sobordo",
authenticated manifest presented
by him upon his arrival at
Cienfuegos. And in proof of
this assertion and for the
information of Y E, I copy at
continuation the certificate issued
in reference to the matter, by
the Collector and Auditor of
Customs of said port, which reads
as follows:

"Stamped paper N° 0,408.654

"Mr

"Mr. Leon Caballero, Auditor of Customs
"for the port of Cienfuegos.

"Do hereby certify, that
"by the antecedents recorded in
"this Custom House, it appears
"that upon the discharge of the
"several cargoes by the American
"steamer 'Santiago' on her
"periodic trips from New York,
"since the month of November
"of last year up to the end of
"March last past, the number
"of packages with their corres-
"ponding marks have agreed
"with the manifests presented
"in this office by her captain.

"For the satisfaction and
"by petition of her consignees, Messrs
"Fernandez Balaguer & Co. I
"issue the present certificate
"at Cienfuegos this 30th day of
"May 1882.

(L.S.) Leon Caballero.

Countersigned
Eduardo M. Cadenas.

I therefore, am compelled, as the representative of my Govern-ment at this city to repair to Your Excellency, opposing respectful but energetically the collection of the said fines and to protest once, twice, thrice and as many times more as may be necessary against the collection of the said fines claiming at the same time of the Government of Spain all losses and damages which the said collection may occasion informing Y.E. at the same time, that by first steamer I will transmit a copy and translation of this communication to the Hon the Secretary of State of the United States, at Washington for his action.

× × × ×

Havana, June 7th 1882

R. B. Williams

Vice Consul General

Copy.

Copy.—

Consulado General de los
Estados Unidos. Habana

Excmo Señor Gobernador General.

&c &c &c

Excelencia:

Por tercera vez en pocos dias, tengo que molestar la atencion de V.E. á consecuencia de la manera, en mi concepto injusta, con que por órden de la Direccion General de Hacienda se quiere proceder contra el vapor Americano "Santiago" que mensualmente hace sus viajes entre el puerto de Nueva York y Cienfuegos imponiendole varias multas á saber:

En su viage de Noviembre de 1881.			$ 3,624.61
id	" Diciembre	" "	" 82.41
id	" Enero	" 1882	" 1,045.16
id	" Febrero	" "	" 644.—
id	" Marzo	" "	" 1247.21
		Total	$ 6643.39

En cada uno de los citados viajes, el capitan ha cumplido

de

de un todo las obligaciones que ha contraido para con la aduana de Cienfuegos, á saber; entregar la carga segun la manifestacion de bultos y marcas hecha en el sobordo presentado á su llegada á Cienfuegos. Y en prueba de este aserto y para conocimiento de V.E. copio á continuacion el certi=ficado que al efecto han expedido los Sres "Administrador y Contador de dicho puerto, á saber:

sellado - Nº 0,408.654.

"Don Leon Caballero, Contador de
"la Aduana de este Puerto.

"Certifico: que de los antecedentes
"que existen en esta aduana,
"aparece que de las descargas
"que ha efectuado en este puerto
"el vapor Americano "Santiago"
"en sus viages periodicos de Nueva
"York desde Noviembre del año
"proximo pasado á fin de Marzo
"ultimo, ha resultado el número
"de los bultos y sus marcas de

conformidad

"conformidad con los manifiestos
"presentados en esta oficina por
"su capitan.

Para constancia y á
"peticion de sus consignatarios
"los Srēs Fernandez Balaguer
"y Ca doy el presente en Cienfuegos
"á treinta de Mayo de 1882.
"(firmado) Leon Caballero.
"Visto Bueno.
"(firmado) Eduardo M. Cadenas.
"Hay dos sellos"

Por lo tanto Excmo Señor
me veo otra vez en la necesidad,
como representante de mi Gobierno
en esta ciudad, de acudir á V.E.
oponiendome respetuosa pero
energicamente al cobro de las
citadas multas y de protestar
una dos, tres y cuantas mas
veces fuese necesario contra el
cobro de las citadas multas,
reclamando al mismo tiempo
al Gobierno de España los daños
y perjuicios á que dicho cobro.

pudiese

pudiese dar lugar; participan-
=dole á V.E. que por el primer
correo trasmitiré para los fines
conducentes copia y traduccion
de esta comunicacion al Señor
Ministro de Estado de los Estados
Unidos en Washington.

Dios gue á V.E. m.s a.s

Habana, Junio 7. de 1882.

(signed) R. O. Williams.

Vice Consul General.

Mr O'Connor

DEPARTMENT OF STATE
JUN 15 1882
RECEIVED

Ack'd by Judge Olds's request June 20 [illegible]

No 1154. U.S. Consulate General
Havana, 9th June 1882.

Mr Williams, to the
Department of State.

Death of Mr Ramon Fernandez Criado y Gomez, a naturalized citizen of the United States, at Havana, Island of Cuba.

Acknowledging receipt of the Department's cablegram of the 8th instant, regarding the intervention of the writer in sealing desks and armoires belonging to the deceased, and accompanying copy of reply by cable, in reference to same as instructed.

One inclosure.

No 1154. — U.S. Consulate General.
Havana, 9th June 1882.

Hon. J.C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

Referring to your cable-
=gram, dated yesterday, and
received at my room in the
"San Carlos" hotel of this City, at
9 o'clock P.M. last evening —
communicating the complaint
of Don Ramon Fernandez
Criado's friends, that I would
not intervene to take charge
of his property, and instruct-
=ing me to report the facts by
cable, I beg to adjoin copy of
my cablegram of this date in
reply, and now to confirm
and amplify it by the recital
of some additional facts and
circumstances, as follows:

About the hour of 11 O'clock
A.M.

A. M. on Monday, the 5th inst.; date of Mr Criado's death, two men were introduced into the Consul's room of this office, respectively under the names of Don Joaquin Maria Cabaleiro and Don Luis Cabaleiro, who represented themselves as Cuban lawyers in search of some particular information in regard to the laws of the State of New York governing the formulas for the drawing up of Wills of dying persons. But, not being a lawyer, I did not venture to give them the desired information.

About three o'clock P. M. of the same day Don Antonio Fernandez Criado, long known to me personally, as a respectable and trustworthy person, called on me at this office and asked of me a private

interview

interview.

I, thereupon, conducted him to another room. He then stated to me in confidence, that his brother Ramon, was at that moment dying in a house not occupied by any of his family relations; further, that he knew for certain that a false will had just been made or was still being made under the direction of a person named Caballeiro, who upon enquiry, I ascertained from him was one of the two who had called upon me four hours before; and that said will would be placed in one of his armoires or desks; and that immediately upon his expiration, I would be called upon to seal his said armoires and desks, so that this will would appear upon their reopening.

about

About 7 1/2 P.M., while dining, I received a notification of the death, accompanied by the request to go to the house of the signer Luis Yaniche to seal as already indicated.

Under the impression of the private advice given me by Don Antonio Fernandez Criado, I excused myself to the bearer, saying that it would be more convenient for the sealing to be done by the Judge of the District. Upon this he discovered great surprise, though himself a Spanish subject, that a Spanish Judge should seal the effects of an American citizen, and thereupon left me. Then a little after 9 o'clock of the same evening two other men came rushing into my room, apparently overpowered with the urgency of the case,

soliciting

soliciting me to go straight at once to seal the desks and armoires, in order to secure the papers contained in them, one of them saying that among these papers was a Will in favor of a natural daughter of Dn Ramon, which needed to be closely guarded and this remark was confirmed by his companion. In the expressions of all these men I found a corroboration of what Don Antonio had told me at three P.M. of the same day.

During the 10 or 12 days of sickness of Don Ramon, I received no message to call to see or consult with him about his affairs. Neither had any of his relatives applied to me to intervene. Nor was I requested to be present at the

making

making of this will in favor of the reputed natural daughter.

Then, receiving all these facts and circumstances in my mind, it appeared to me as though I was sought more as an agent of evil than as one of good, and therefore, that the end of right and justice would be better subserved by my absence, rather than by my presence at the mortuary rooms of Mr. Criado. Consequently, without explaining my reasons to these messengers or to those behind them, I finally referred them to the Judge of the District who performed the sealing at 11½ o'clock that night.

Whilst composing this communication Don Antonio Fernandez Criado the brother, herein mentioned, of Dn Ramon has been in the office, and has assured me that

that during the last hours of Don Ramon, a false will was made, and will appear upon re-opening the drawers of his brother's furniture; but he cannot say what date was put to it. He added, that his family will accept the Will made in New York, even if it leaves them nothing, but that they will contest the one just made in Havana, though it reach the undesir-able fame 'de causa celebre'.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General.

Indosure.
1 – Copy of Mr Williams cable-gram to the Department of State, June 9th 1882.

Inclosure No 1.
With Dispatch No. 1154.
Havana, June 9th 1882.
Copy.

Havana, June 9th 1882.

Hon J. C. B. Davis,
Assistant Secretary of State.
Washington.

Three hours before his death, a legitimate brother of Criado informed me, that he had reasons to suspect that a will was then being fabricated in favor of persons calling themselves Criado's natural children, and that it would be placed in a desk or in an armoire, and that upon his demise, I would be asked to seal them; so that this last will and Testament would appear upon their reopening.

This suspicion was corroborated by the statement of the irresponsible parties who afterwards brought me the request to seal the pieces.

Not wishing to be the cover of suspicious designs, and without giving my reasons, I referred them to the District Judge,

who

who then sealed the pieces.

No recognized relative of Criado has asked my intervention. Neither was I requested to be present at the making of the will.

(Signed) Williams -

Vice Consul General.

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JUN
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1882
RECEIVED

Ack & 9 June 20/82

to Ecuador

No 1155. — U.S. Consulate General
Havana, June 10th 1882.

Mr Williams to the
Department of State.

Receipt of instruction.

No 1155. U.S. Consulate General

Havana June 10th 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State
Washington

Sir:

I have the honor to acknowledge the receipt of your instruction No 656 of 1st instant, covering the Certificate of appointment of Mr J. O. Hernandez, Vice Commercial Agent at Cardenas, which I have forwarded to him.

I am, Sir,
very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General.

Wr O Connor
Ack &

Ack & file
O'Connor
July 11

No 1156.

U.S. Consulate General.
Havana, June 17th 1882.

Mr Williams, to the
Department of State.

Estate of the late Mr Ramon Fernandez
Criado y Gomez, a naturalized
citizen of the United States.

Transmitting an original letter,
with translation, addressed by the
relatives of Mr Fernandez Criado,
to the Honorable, the Secretary of
State, of the United States regarding
the intervention of the writer in
taking charge of said Estate.

One inclosure.

No 1156. U.S. Consulate General.

Havana, June 14th 1882.

Hon J. C. Bancroft Davis-

Assistant Secretary of State-

Washington.

Sir:

Referring to my dispatch No 1154, of 9th instant I have now, at the special request of some friends and relatives of the late Mr Ramon Fernandez Criado y Gomez, a naturalized citizen of the United States, to enclose the original with a translation of a communication which they addres to the Honorable the Secretary of State, of the United States in reference to my action in the matter of sealing and taking charge of the furniture, papers, desks, boxes &c of the deceased Mr Criado upon being called upon by Mr Luis Zaricke, of this city, for that purpose. I have,

further

further to state, that the parties subscribing the accompanying communication, are all persons of highly respectable standing of this place and that the Judge of the corresponding District has yesterday delivered to me the preliminary proceedings had in the case with five keys, belonging to the office, desks, armoires, chests, papers &c of the late Mr. Criado.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General.

Inclosure.

1. ——— The friends and relatives of the late Mr Ramon Fernandez Criado y Gomez - to the Honorable the Secretary of State of the United States. Havana June 14th 1882.

Inclosure Nº
With Dispatch Nº
Habana, June . 1882.
Translation.

Habana, June 14th 1882.

To the Honorable.
The Secretary of State.
of the United States of America.
Washington.

Sir:

We are informed that a parties styling themselves friends of the deceased Mr Ramon Fernandez Criado y Gomez have presented, through an agent of theirs, a complaint or protest against the Vice Consul General of the United States, at this port, Mr Ramon O. Williams, under the supposition that he had neglected his duty by not being present at the time he was called upon to take safe charge of the

property.

property of a deceased American citizen; and in order that a record of the truth may in future appear we have to inform you.

1st. That we, the undersigned, are, the first two mentioned, ~s brothers, the third a brother in law, and the fourth named the husband of a niece of the deceased Don Ramon ~s Fernandez Criado y Gomez.

2nd. That we the first and fourth persons herein mentioned, have been present at the dwelling of the Dn Ramon Fernandez Criado y Gomez, referred to, during his illness, of several days' duration.

3d. That Messrs Pedro de Leon and Antonio Gonzalez de Mendoza, respectable persons and friends of the deceased, entreated him, severally and apart, to make his last Will and Testament - and that to

the

the former he replied that "he
"would do so upon recovering his
"health"; and to the latter that
"he would think over the matter
"when he was better."

4th That inasmuch as the sick person, referred to, did refuse to make his Will; we did not call upon, nor notify the Vice Consul General of the United States, neither in writing or verbally to proceed to the dwelling of the sick man.

5th That neither upon nor after the death of Mr Ramon Fernandez Criado y Gomez did we call upon the said Vice Consul General, for the reason that nothing more was to be done in the premises but to seal his chests or boxes, armoires and desks, and for this purpose one of his friends notified the District Judge, who ignoring the American citizenship

of

of the deceased, proceeded to the mortuary house, accompanied by a Notary Public and in the presence of witnesses as also in the presence of the undersigned, Mr Antonio Fernandez Criado y Gomez, and safely secured the papers of the deceased, sealing the pieces of furniture and leaving them in the charge of the same friend who had called upon the Judge for the purpose.

6th. That the Spanish Judge upon being informed of the American citizenship of the deceased, has ordered that the proceedings by him initiated, be remitted to the Vice Consul General of the United States, that he may continue to act upon them and take such steps as he may consider desirable; which decision has not yet been complied

complied with.

7th. That on breaking the seals and upon the formation of the inventory of the papers of the deceased it will be known whether he had or had not made a Will.

This, Sir, is what has occurred, and we have thought proper to acquaint you of the above facts.

Your Obedient Servants.

Francisco Fernandez Criado y Gomez.

Antonio Fernandez Criado y Gomez.

Francisco J. Mestre.

Manuel de Monteverde.

—

Agreeable to the fact of having advised the making of a last Will and Testament as also the answer received from Fernandez Criado, delaying making his will. June 15th 1882.

A.G. Mendoza

Habana Junio 14 de 1882.

Al Honorable Secretario de Estado de los Estados Unidos de America en Washinton.

Señor: ha llegado á nuestra noticia, que algunos que se dicen amigos del difunto Dn. Ramon Fernandez Criado y Gomez, han presentado ó hecho presentar ante Vd. una queja ó protesta contra el Consul de los Estados-Unidos en esta ciudad Sr. Ramon O. Williams, bajo el supuesto, de que este funcionario descuidó los deberes de su cargo, dejando de acudir al llamamiento que se le hizo para asegurar los bienes de un ciudadano americano, fallecido; y para que en todo tiempo conste la verdad de lo ocurrido, ponemos en conocimiento de Vd:

1º. Que los abajo firmados, somos, los dos primeros hermanos, el tercero cuñado y el cuarto marido de una sobrina del difunto Dn. Ramon Fernandez Criado y Gomez.

2º. Que el primero y el cuarto, hemos concurrido á la casa del referido Dn. Ramon Fernandez Criado y Gomez durante su enfermedad, que fué de varios dias.

3º. Que los Señores Dn. Pedro de Leon, y Dn. Antonio Gonzales de Mendoza, personas respetables y amigos del finado, le instaron separadamente para que hiciera testamento, y él contestó: "que lo haria cuando se pusiese bueno" al primero, y al segundo, "que lo pensaria cuando se mejorase".

4º. Que no habiendo querido testar el enfermo, no hemos requerido ni avisado al Sr. Consul de los Estados

Unidos por escrito ni de palabra, para que fuese ala Casa del Enfermo.

5º. Que despues del fallecimiento de Dn. Ramon Fernandez Criado y Gomez, tampoco hemos llamado á dicho Señor Consul, porque no habia que hacer otra cosa sino sellar sus cofres, escaparates y escritorios; y para eso, uno de los amigos del difunto, dió parte al Sr. Juez, ignorando la calidad de Ciudadano Americano que el finado tenia, se constituyó en la casa mortuoria, asistido de escribano, y en presencia de testigos y del suscrito Dn. Antonio Fernandez Criado y Gomez, puso en seguridad los papeles de aquel, sellando los muebles y dejandolos en custodia del mismo amigo que habia dado el parte.

6º. Que el Juez español, al tener conocimiento de la Ciudadania americana del difunto, ha dispuesto que las actuaciones en que intervino, se remitan al Consul delos Estados-Unidos para que las continúe y proceda álo que haya lugar; cuya providencia no está cumplida todavia.

7º. Que Cuando se levanten los sellos y se haga el inventario delos papeles del difunto, se sabrá si habia hecho ó no testamento.

Esto es Señor lo que ha ocurrido; y hemos creido conveniente ponerlo en conocimiento de Vd. Obedientes servidores. _____

Francisco Fernandez Criado y Gomez

Antonio Fernandez Criado y Gomez

Francisco del Monte

Manuel del Monte verde

Conforme respecto á haber aconsejado el testamento, y la respuesta de Fernandez Criado, aplazando el otorgamiento. Habana, Junio 15, 1882 D. L. Hern

Ack and Affirmed
Consuls Cause
O Connor
June 30th 1882

Mr O Connor
This Sight Concurs
in relation with the matter in
New York, New York State
Case Cuesta
No 1157

U.S. Consulate General.

Aug 8
July 1/82

Havana, June 25th 1882.

Mr Williams, to the

Department of State.

Estate and personal effects of the late Mr Ramon Fernandez Criado y Gomez.

Reporting the proceedings in taking charge of the property and effects of the deceased Mr Criado, a naturalized citizen of the United States - upon being called upon by the Local Judicial authority and the brothers and the attorney of an absent sister for that purpose.

No 1157. U.S. Consulate General
Havana, June 22nd 1882.

Hon: J. C. Bancroft Davis.
Assistant Secretary of State.
Washington

Sir:

With reference to my despatches Nos 1154 and 1156, dated respectively the 9th and 14th: instant, I now have the honor to report for the information of the Department, that in accordance with agreement had with the Judge of the Cathedral District Court, on the morning of the 20th: inst: I proceeded to the mortuary rooms of the late American citizen Don Ramon Fernandez Criado, No 32 Calle de Aguacate of this city, where I met the Government Scrivener Don Francisco de Castro, who for the occasion had been duly authorized by the Judge, with

the bailiff of the court.

At the appointed moment of 8 o'clock A.M, and in the presence of two brothers, Spanish subjects, and the attorney of an absent sister, a citizen of France, of the late Mr Criado and of several of his intimate friends as witnesses, I asked the said Government=s Scrivener, at the time acting as Deputy of the Judge: if the seals were or were not in the same sound and unbroken condition in which he left them upon placing them there on the night of the the 5th instant. Having replied in the affirmative, I then asked him to remove the Spanish seals and deliver over to me the cases with their contents, which he did.

I, then, opened the armoir= es before all present. The contents were visibly composed of many different things, and without proceeding to a formal examination.

I

I locked the cases and put upon them the seals of this office, and removed the whole to a room in this building.

Again, I proceeded yesterday to the late counting room of Mr Criado, and after a slight examination of his numerous papers and documents, and the counting of the money found in the iron safe, I ordered the things to be brought to this building, and deposited in the same room with the effects of the day previous.

A record of all the proceedings of both days was formulated and subscribed to by the relatives of Mr Criado and the other witnesses, and is in the iron safe of this office.

I have removed these effects to this building; because I believe it safer; because it is more convenient for the making of the

inventory; and because the room costs #17. gold per month while, as I was told, the other building cost Mr Criado #136 gold per month, which rent would have had to be paid by his succession should its occupation have been continued.

I have further, to inform the Department, that I have cited the two brothers living in this city, the attorney of a sister, the French citizen already alluded to, and the attorney of a sister in law of Mr Criado, an American citizen, whose power of attorney arrived this week, to meet me at this office, with the clerks of his office tomorrow at 7 A.M. to proceed to the making of a formal inventory of Mr Criado's effects, and to the scrupulous examination of papers in search of the Will of the deceased,

supposed

supposed by some to be among these papers.

Further, as Mr Criado, as I understand, had a room or rooms in New York City No 138. Second Avenue, with effects therein, I would respect= =fully suggest that it be ordered that proper measures be taken to guard the premises.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant.
R. C. Williams
Vice Consul General.

Mr Comm

Ackd July 8th

DEPARTMENT OF STATE
JUN 29 1882
RECEIVED

ack & file
Mr Clair

No 1158. U.S. Consulate General

Havana, June 24th 1882.

Mr Williams, to the

Department of State.

Estate and personal effects of the late Mr Ramon Fernandez Criado y Gomez, a naturalized citizen of the United States.

Transmitting slips from the news=papers "La Discusion", "El Triunfo" and "La Nacion" of this city, with translations of same

Four inclosures.

No 1158. U.S. Consulate General

Havana, 24th June, 1882.

Hon J. C. Bancroft Davis

Assistant Secretary of State.

Washington.

Sir:

Referring to my dispatches Nos: 1154, 1156 and 1157. of 9th, 17th and 22nd instant - relative to the testamentary affairs of the late Don Ramon Fernandez Criado, I now beg to enclose a printed article cut taken from the newspaper of this City called "La Discusion", published in its number corresponding to the 21st of same, in which I am severely censured, for what that newspaper is pleased to deem a great lack of duty on my part in not obeying the call of Mr Luis Zaricho, and without the assistance of the local authority, and in total disregard of the presence of Criado's relations and partners in business, to take sole charge of his effects, and that, too,

in

in the face of the general report and belief that a false will had been prepared or at least attempted.

You will also, please read the same attack, under another garb, extracted from the "La Nacion," of this City, published the 22nd inst: followed by its retractation in the number of the following day, the 23d inst: in which it exculpates itself for the assault, upon the ground of its having been surprised.

2/3

I also accompany the paragraph and translation thereof, that appeared in the "El Triunfo" of the 22nd, asking the public in the name of the Criado family to sus=pend judgment with respect to the accusation until they could explain the matter, which they do in the same newspaper of this date (24th); but from its length, I regret to say, I cannot translate it in time to send it to the Depart=ment by this mail.

4/

I am, Sir, Your Obedient Servant.

R. O. Williams

~~Vice Consul~~ General.

Inclosure No. 1.
With Dispatch No. 1158
Havana, June 24th. 1882.
Translation.

From the "La Discusion" of
Havana, 21st June 1882.

Procedimiento irregular.

Al ocurrir el fallecimiento del ciudadano de los Estados Unidos D. Ramon Fernandez Criado, que se encontraba de tránsito en esta capital, el dueño de la casa en que se hospedaba y dos ciudadanos americanos amigos del finado y que le asistieron en su enfermedad, pusieron en conocimiento del Sr. Cónsul Americano lo que pasaba, rogándole acudiese al lugar en que se hallaba el cadáver, á fin de que la Ley de Extranjería se cumpliese.—Ni la primera ni la segunda vez en que fué requerido con ese propósito alcanzaron otra cosa más, que, respuesta negativa.

En cambio, el Sr. Juez de 1ª Instancia del distrito de la Catedral, llamado al mismo fin, accedió, acompañado del Escribano de Gobierno, procediendo á sellar todos los armarios que pertenecían al finado, los mismos que constituyó en depósito interino.

Es, pues, evidente que la negativa del Sr. Cónsul de los Estados Unidos á acudir á la casa mortuoria en los momentos del fallecimiento de Fernandez Criado, no tiene explicacion posible; y sin duda alguna le ha colocado en una situacion muy difícil.

En el dia de ayer es cuando se ha presentado en la casa en que tuvo lugar la defuncion de Fernandez Criado, y allí, á presencia del Escribano de Gobierno levantó de los armarios todos los sellos, extrajo y colocó en baules los documentos y papeles, sellando de nuevo esos baules, los cuales remitió con todos los muebles á una habitacion que parece tenía préviamente preparada en la misma casa en que se halla establecido el Consulado. Esta es otra nueva falta. Esta es otra nueva responsabilidad en que ha incurrido el Sr. Cónsul de los Estados Unidos. —No ha podido encargarse de cosa alguna correspondiente al finado sin que precediese inventario por la autoridad judicial, con su asistencia.— Este es precepto terminante de la Ley de Extranjería, que no puede ni aún siquiera suponerse que se desconozca ó ignore por el Sr. Cónsul.

Desde el primer momento se aseguraba que Don Ramon Fernandez Criado, tenía otorgado su testamento en los Estados Unidos, y en el cual había instituido heredero. A este tocará exijir las responsabilidades á que haya dado lugar y dé el procedimiento que se siga con infraccion evidente de la ley. Sentimos que la perturbacion en todos los actos que se realizan entre nosotros, haya invadido tambien el Consulado de los Estados Unidos.

Irregular Proceeding
Upon

Upon the death of Mr. Ramon Fernandez Briado, a citizen of the United States, temporarily residing in this City, the owner of the house where he boarded accompanied by two American citizens of the deceased, who had assisted him during his illness. ~~a~~ informed the American Consul of the occurrence, begging him to proceed to the place where the corps was lying, in order that the Law relative to Foreigners, should be complied with. ____ Neither in the first nor second instance, upon which the said Consul was called upon in relation to this matter, was anything obtained other than a negative reply.

On the other hand, the Judge of First Instance of the District of the Cathedral, who had been called upon, to the

Same

same end, acceded, accompa-
=anied by the Scrivener and
Notary Public of the Govern=
=ment and proceeded to seal
the armoires which had belonged
to the deceased and which he
left in provisional custody.

It is, therefore, evident
that the refusal of the Consul
of the United States to proceed
to the mortuary house at the
moment of the death of a
Fernandez Criado, has no
possible explanation, and
without any doubt it has
placed him into a very
difficult situation.

It was yesterday,
that he presented himself
at the house where Mr. Fernandez
Criado died and there, and
in the presence of the Govern=
=ment Notary, broke all the
seals of the armoires, extracted
and placed into trunks

all

all the documents and papers, sealing anew these trunks which he sent with all the furni= =ture to a room, which it appears he had previously prepared in the same building in which is situated the Consulate. This is another new fault committed. This is another new responsibility which the Consul of the United States has contracted. He could not take charge of anything belonging to the deceased without the previous formation of an inventory, in his presence, by the Local Judicial authority. This is a terminant prescription of the Law of Foreigners, which it is even impossible to suppose is unknown to or ignored by the Consul.

From the first = moment it was declared that Mr Ramon Fernandez

Criado

Criado had made his will
in the United States, and in
which he had appointed an
heir. It will be incumbent
upon him to exact all the
consequences which may
arise from the proceeding
now being practised, in
evident infraction of the
Law. We regret that the
corruption, so notable in the
public offices of this place,
should also invade the
Consulate of the United States.

Inclosure N° 2.
With Dispatch N° 1158.
Havana June 24th 1882.

From the "La Nacion" of
Havana June 22d 1882.

Un Hecho Incomprensible.

Se nos ha dicho por persona que nos merece completo crédito que con motivo al fallecimiento de D. Ramon Fernandez Criado y Gomez, ciudadano de los Estados Unidos, vecino de la ciudad de Nueva York y que se hallaba de tránsito en esta capital, por dos veces se llamó al Sr. Cónsul de su nacion para que procediera á lo que hubiese lugar y rehusó en ámbas tomar participacion en el asunto, manifestando la última vez que acudieran á la autoridad del distrito.

No sabemos á qué causa haya podido obedecer la extraña conducta del Señor Cónsul de los Estados Unidos. La Ley de extranjería le obliga á acudir á la morada del súbdito de su nacion en union de la Autoridad judicial del distrito en que hubiese ocurrido el fallecimiento para formar el inventario de los bienes y efectos pertenecientes al finado. El Sr. Juez de 1ª Instancia de la Catedral por su parte se presentó con Escribano en la casa mortuoria y tomó las medidas necesarias á la seguridad de los bienes y papeles del difunto. Hizo sellar los armarios, y no se retiró hasta pasada las tres de la mañana.

Despues de esa intervencion solicitada en tiempo, y practicado lo que acabamos de referir, parece que el Sr. Cónsul se arrepiente de su primer determinacion y á los quince dias, se presenta en la casa acompañado del Escribano D. Francisco Castro, hace quitar los sellos á los armarios, trasladar lo contenido en estos á unos baules y conducir los últimos á un cuarto de su casa Tacon nº 2.

Este procedimiento nos parece sumamente anómalo y singular. Si no quiso el Sr. Cónsul responder á los dos primeros llamamientos que, desde el principio le hizo el dueño de la casa en que murió Fernandez Criado y algunos amigos que le asistían, pase; pero que despues de sellados los armarios por la Autoridad judicial del lugar en que ocurrió el fallecimiento, se haya atrevido á levantar aquellas señales, sin hacer inventario siquiera del contenido que pasó á los baules, es lo que no tiene explicacion.

La Ley de Extranjería es terminante en este punto. Ella quiere que se formalice por la Autoridad judicial del lugar en que ocurriese el fallecimiento, en union del Cónsul, el correspondiente inventario de los bienes y efectos pertenecientes al finado y que se hallen en el lugar en que ocurre el fallecimiento.

Y todavía es más extraño el procedimiento que se sigue, si se tiene en cuenta que al Sr. Cónsul de los Estados Unidos se le ha participado que Fernandez Criado falleció bajo disposicion testamentaria que otorgó en los Estados Unidos, que en ella instituyó por heredera á quien la opinion pública señala como hija natural del testador. ¿Pasará todo ésto sin ninguna consecuencia? Ya lo verémos.

Translation.

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an.

An incomprehensible act

We have been informed by a creditable person that on account of the death of Don Ramon Fernandez Criado y Gomez, a citizen of the United States, a resident of the city of New York, and temporarily residing in this city, the Consul of his nation was twice called upon to proceed to do what is necessary in such cases, and that he refused on both occasions to take any part in the matter, stating on the last occasion that they should apply to the local authorities.

We cannot say to what cause this strange conduct on the part of the Consul of the ~~United~~ States is due. The "Law relative to Foreigners", obliges him to attend at the dwelling of the citizen (Subdito, sic:)

of

of his nation, together with the local judicial authority of the district where the death may have occurred, to make an inventory of the property and effects belonging to the deceased. The Judge of First Instance of the District of the Cathedral for his part presented himself at the residence of the deceased, together with a Notary and took the steps necessary to insure the safety of the property and papers of the deceased. He sealed up the clothes Presses &c and did not retire until after 3 - o'clock in the morning.

After this intervention, duly requested in time, and after everything had been done, as we have just stated, it appears that the Consul repented of his first decision,

and

and a fortnight afterwards, accompanied by the Notary Don Francisco de Castro, he presented himself at the house, caused the seals to be removed from the clothes-presses &c, and removed their contents, into a number of trunks, and thus they were taken to a room near his office - Jacon No 2.

This proceeding appears to us extremely singular and anomalous. If the Consul did not choose to attend to the two first calls which were made on him at the beginning by the owner of the house where Fernandez Criado died and several friends who attended him during his last illness, very well; but that after all the clothes-presses &c had been sealed up by the Judicial authority

authority of the place where the death occurred, he should have dared to remove those marks without making any inventory whatever of the contents which were put into trunks, is what is inexplicable.

The Law relative to foreigners, is conclusive on this point. It provides that the corresponding inventory of all the property and effects belonging to the deceased to be found in the place where the death shall have occurred, shall be made by the local judicial authority together with the Consul.

And still more strange is the proceeding actually followed, if it is taken into account that the Consul of the United States had been informed that Fernandez Criado died under testamentary

disposicion executed in the United States, in which he had named as his heiress, a person generally accepted by public opinion as his natural daughter.

Shall all this go on without any consequence? We shall see. —

Inclosure N° 3-
With Dispatch N° 1158-
Havana June 24th 1882.
From the "La Nacion" of
Havana, June 23d 1882.

Explicacion.

Bajo la fé de persona que le merece entero crédito, escribió un apreciable redactor nuestro un artículo, que vió la luz en las columnas de LA NACION del número de ayer, en que se hacen severos cargos á Mr. R. Williams, Cónsul de los Estados-Unidos, interino, en la Habana, por la conducta que ha observado en el desempeño de sus deberes, á consecuencia de la muerte del ciudadano de aquella república, Mr. Ramon Fernandez Criado.

Respetables miembros de la familia del finado han acudido á nosotros, para manifestarnos que hay error evidente en la enunciacion de los hechos que sirven de base á la acusacion que contiene el artículo contra el Sr. Cónsul de la nacion vecina; y en tal concepto, no siendo infalible la persona que comunicó los datos á nuestro redactor, ni infalible éste, ni pudiendo exigirse otra cosa al periodista que la buena fé en sus afirmaciones, léjos de hallar reparo en retirar toda expresion que pueda inculpar á Mr. Williams, tenemos el mayor gusto en retirarla, y la retiramos en efecto, dejando la ventilacion de los sucesos ocurridos á los tribunales que de ellos entiendan completamente.

Quede, pues, consignado que no nos hacemos solidarios del artículo á que nos referimos, en cuya publicacion no se cometió, sin embargo, ningun acto de ligereza, puesto que se llenó la condicion de que la persona que comunicaba los hechos que contenia, asumiese la responsabilidad debida.

"Ahora bien; en vista de que á pesar de semejante responsabilidad, otras personas dignas de crédito niegan lo que el artículo asevera ¿podrá exigirse al periódico que lo publicó, que lo sostenga en todas sus partes, erigiéndose en juez inapelable?

Hacemos semejante pregunta, porque el estimado redactor que escribió el artículo, entiende que habiendo sido publicado con anuencia de la direccion del periódico, debe sostenerse á todo trance, y ha manifestado que se creerá en el caso de retirarnos su valiosa cooperacion, si declinamos la defensa de las acusaciones que el propio artículo encierra.

Mucho sentiremos que tome tan injustificada determinacion un compañero que ha prestado importantes servicios con su bien tallada pluma á los trabajos de LA NACION; pero no será parte el temor de que realice semejante resolucion extrema, á detenernos en nuestro propósito de no asumir el carácter de acusadores en asunto de tamaña trascendencia, cuando precisamente, léjos de estar hoy, en vista de los antecedentes, dispuesto nuestro ánimo á vituperar á Mr. Williams, se inclina en direccion contraria.

Acontecimientos como el actual suelen presentarse en el periodismo, del cual sólo debe esperarse que vaya estampando en el papel la representacion fotográfica de los sucesos diarios, modificándolos sucesivamente, si es necesario, hasta llegar á reproducirlos con la mayor exactitud posible. Pedirle que los imprima desde luego con entera conformidad á lo cierto, es pedirle lo irrealizable. La honradez y la buena fé es lo que tiene derecho á exigírsele.

Translation.

Explanation

Under the assertion
of a creditable person, one
of

of our staff wrote an article which appeared in our columns, yesterday, in which severe charges were made against Mr R. O. Williams, Vice Consul General of the United States, at Havana, in regard to the conduct he observed in the fulfillment of his duties, consequent upon the death of the American citizen Mr Ramon Fernandez Criado.

Respectable members of the family of the deceased have called upon us, to state that there is evidently great error in the statement made of the facts which serve as a foundation for the accusation contained in the article referred to, against the Consul, and therefore, as, neither the person who communicated the facts to another, nor he himself can be considered infallible, nor as

nothing

nothing else can be required of a journalist than good faith in his assertions, far from having any hesitation whatever in withdrawing an expression that may inculpate Mr Williams, we now have the greatest pleasure in withdraw=
=ing the said article, leaving the ventilation of the matter to the decision of the Competent Courts which have full jurisdiction therein.

Let it then be under=
=stood that we do not hold ourselves responsible for the article to which we refer, in the publication of which however, no act of undue consideration was committed, inasmuch as the condition was fulfilled that the person who commun=
=icated the facts therein stated, should assume the entire res=
=ponsibility therefor.

Therefore, in view of the fact that notwithstanding the like responsibility others creditable parties deny what the said article asserts, can the paper which published it be required to sustain it in all its parts making itself a judge without appeal.?

We ask this question because the worthy assistant who wrote the article understood that having been published with the consent of the editor, it should be supported at all costs, and has further stated that he shall be compelled to withdraw his valuable cooperation if we decline the defence of the accusations contained in that article.

We should very much regret that a fellow journalist

who

who has rendered such
important services with his
pen to the columns of the
Nation should take such an
unjustifiable determination,-
but the fear that he may
carry out this resolution,
shall in no way deter us in our
intention never to assume
the character of an accuser
in an affair of such grave
importance, especially when,
far from being disposed to
censure Mr Williams, in view
of the antecedents now before
us we are inclined the other
way.

Events like the present
often occur in journalism,
of which it can only be
expected, that it shall give
on paper a photographic
representation of daily
proceedings modifying
them successively if needful.

until reproducing them
with the greatest exactitude
possible. To demand of it
that it shall at once print
them with complete conform-
=ity in correctness, is to want
the unobtainable. Honor and
good faith is all that can
rightfully be exacted of it.

Inclosure Nº 4-
With Dispatch Nº 1158-
Havana, June 24th 1882-

From the "El Triunfo" of
Havana of 22d. of June. 1882

A LA DISCUSION.

Tenemos entendido que los familiares del Sr. D. Ramon Fernandez Criado se disponen á rectificar sin pérdida de tiempo el suelto que con el título de *Procedimiento irregular* publica *La Discusion* de hoy.

Suplicamos á nuestros lectores que suspendan entre tanto todo juicio respecto á este enojoso asunto, anticipando sin embargo que la conducta del Sr. Cónsul de los Estados Unidos no ha podido ser más digna ni más ajustada á derecho.

Translation.

To "La Discusion"

We understand that the family of the late Mr. Ramon Fernandez Criado are preparing to rectify and reply to, without loss of time, the article which under the title of "Irregular proceeding" is published in the "La Discusion" of today

to day.

We entreat our readers, in the meantime, to suspend forming any opinion upon this vexatious matter, — manifesting, notwithstanding, in anticipation, that the conduct of the Consul of the United States could not have been more worthy nor more in conformity with the law.

Acts July 18/82
abandoned

No 4

Jamaica Long Island N.Y.

Adam Badeau
Consul General
for Habana

to the Department of State

Subject -
Request for Leave of Absence

Abstract of Contents
Statements of Vice Consul General
and U.S Sanitary Inspector relative
to prevalence of Yellow Fever among
unacclimated persons - Request
for leave of absence for four
months - Request for duty
during that period - Letter
of Sanitary Inspector enclosed -

No 4

Jamaica L. I. New York
June 24. 1882

The Hon J. C. Bancroft Davis
Assistant Secretary of State
Washington D.C

Sir:

Referring to our recent conversation relative to the prevalence of yellow fever at Havana, I have the honor to state that I have written to the Vice Consul General there, requesting information on the subject, and received from him a letter dated June 10th inst, from which I beg to present the following extract.

"Respecting the Sanitary condition of Havana at this season, I must say that if you have never had the yellow fever, and are therefore unacclimated in the Havana it would be very imprudent and risky to come out here now, or during July

August, and September. Arriving here in October you would scarcely run any risk, i.e. observing proper precautions."

Subsequently I received a second letter, dated 14th inst, containing these words: "You will also find enclosed a written statement and opinion of Doctor Daniel M. Burgess, U.S. Sanitary Inspector at this port, in relation to the present state of the yellow fever and chances of its attacking unacclimated persons; which I send as supplementary to my answer of last week to your question upon this "subject"

The letter referred to from Dr. Burgess I beg to enclose for the information of the Department and in view of this official statement I have the honor to ask for a leave of

1/

absence of four months
of four ~~months~~ from the
expiration of the period
allowed for receiving my
instructions, or for such
permission to remain
outside of the infected
region as the Department
may see fit to grant, and
to ~~say~~ inquire whether it
might not be possible
during this period for me
to be placed upon some
suitable duty which
would enable to perform
service and draw my pay.

I am Sir
Very respectfully
Your Obedient Servant
Adam Badeau
Consul General for Havana

Inclosure
1 Letter of U.S. Sanitary Inspector at
Havana, dated June 1882

Havana. Cuba June 14. 1882

Ramon O. Williams V. Cons. Gen.
Havana

My dear Sir

In reply to your inquiry as to whether it would be safe in view of the existence of yellow fever at this port and city and their sanitary condition for an unacclimated person to come here now and reside, I would most respectfully and unhesitatingly answer. No. - That yellow fever exhibits indications that it would take on an epidemic form were not nine tenths or more of the people here protected

from it - That during the week ending last night there were thirty five (35) deaths from it and there cannot to-day be less than two hundred (200) cases of it in the city - - -

Under these circumstances it is quite probable that an an unacclimated person residing here through the summer would have the disease

Very truly yours
Daniel. M. Burgess

San Inspector M. B. of Health
at Havana

Enclosure No 1

—

to Mr Despatch No

of June 29th 1882

Letter of US Sanitary

Inspector at Havana of June 14/82

Ack + file w/ Comm

Ack & July 1/82

D'H Blair

DEPARTMENT OF STATE
JUN 29 1882
RECEIVED

No 1159. U.S. Consulate General
Havana, June 24th 1882

Mr Williams, to the
Department of State.

Effects and estate of the late Mr Ramon Fernandez Criado y Gomez.

Reporting the commencement of search for a Will of the Mr Criado above mentioned, among the papers and furniture now in charge of this Consulate General.

No 1159. U.S. Consulate General.
Habana, June 24th 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State
Washington.

Sir:

I have to report that in accordance with the prior arrangement with the relatives and business partners present, and with the legal attornies of those absent, as communicated to the Department in my No 1157 dated the 22nd instant, that yesterday at 7. a. m.- I com=
=menced the search of papers and formation of the inventory of the personal effects of the late Mr. Ramon Fernandez Criado; having worked from that hour until 10½ A. M. when we adjourned for breakfast; and that at 1 o'clock P. M. of the same day the work was

resumed

resumed and continued in
the presence of all the witnesses
until 4/@ P.M. without find=
=ing any will or other testament=
=ary disposition of the deceased.

It was further agreed
between myself and the parties
present that the search for
the Will should be again
resumed at 7 o'clock a.m
on Monday the 25th instant.

I have the honor to be, Sir,
Very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General

Mr O'Connor

DEPARTMENT OF STATE
JUL 3
1882
RECEIVED

ack & file
Ack'd July 13/82 W. Comm
July 11th

No 1160 U.S. Consulate General
Habana, June 28th 1882.

Mr Williams, to the
Department of State.

Estate of the late Mr Ramon Fernandez Criado y Gomez, a naturalized citizen of the United States.

Transmitting a slip and translation of an article published in the "El Triunfo" of this City the 24th instant in reference to the above estate.

One inclosure

No 1160 U.S. Consulate General
Havana, 28th June 1882.

Hon J. C. Bancroft Davis
Assistant Secretary of State
Washington.

Sir:

Referring to my dispatch No 1158, dated the 24th instant, transmitting printed extracts from the newspapers "La Discusion", "La Nacion" and "El Triunfo", of this city, and translations of same, in relation to my conduct observed in regard to the charge and formation of inventory of the effects left by the late American citizen, Don Ramon Fernandez Criado, I now beg to transmit for the information of the Department the article which appeared in the "El Triunfo" of the 24th, instant, being the same to which I

referred at the close of that despatch. I have to say that this narration of the Criado family; in the columns of the "Triunfo"; and which I understand has been drawn up by their attorney Don José María Galvez, one of the most eminent lawyers of this Capital, and chief of the liberal party of the Island, is in all the essentials, quite correct.

In the perusal of this translation, I beg to call your particular attention to that part which explains why the local Judge did not request me to accompany him when he took charge of the effects and left them in the charge of Mr Jariche; the reason was, that after that person determined to pursue the course pointed out by me to his messengers: that of calling

upon

upon the local authorities to
initiate the proceedings, he
notified the Judge that he
himself was the American
citizen in question, leaving &
thereby the inference upon the &
mind of the Judge that Don
Ramon Fernandez Criado
was a Spanish subject, and
the Judge, under this mis-appre-
=hension performed the duties
of his office, upon the presumption
that he was attending to the
effects of a Spanish subject
who had died in the house of
an American citizen. This
explains why the Judge did
not notify me until the next
day.

By way of further
explanation, I must say,
that the two men of the name
of Caballeiro referred to in my
dispatch No. 1154, dated the 9th
instant. as having called on

me

me the 5th inst:, day of the death of Mr Criado, in search of formulas for the making of Wills, codicils and last testaments in accordance with the laws of the State of New York, and who represented themselves as Cuban lawyers, in reality are not lawyers; the elder Don Joaquin Cabaleiro, being what is known here as a 'picapleitos', petti-fogger, and the other Don Luis Cabaleiro, is the city reporter for the same newspaper 'La Discusion', that attacked my conduct, and it is to be supposed his relation to that newspaper afforded him cheap access for the purpose, to its columns.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

R. O. Williams

Vice Consul General.

Inclosure

Inclosure.

1 – Slips and translation of an article from the "El Triunfo" of Havana, of 24th June 1882.

Inclosure N°

With Dispatch N°

Havana, June 1882.

From the "El Triunfo" of Havana.

June 24th 1882.

SUCESION DE DON RAMON FERNANDEZ CRIADO.

Cumpliendo lo ofrecido en nuestro número del juéves, y bajo la fé de personas que nos merecen entero crédito, vamos á referir todo lo ocurrido en el asunto que podemos llamar "Sucesion de D. Ramon Fernandez Criado," á fin de que la opinion pública no se extrañe ni padezca la alta respetabilidad y merecido concepto de que disfruta el Sr. D. Ramon O. Williams, Cónsul General de los Estados Unidos en esta ciudad, injustamente atacado por el autor de un suelto que apareció en el número de nuestro apreciable colega *La Discusion*, correspondiente al dia 21 de este mes.

Díjose allí que, habiendo fallecido don Ramon Fernandez Criado, ciudadano americano, de tránsito en esta ciudad, dos conciudadanos suyos participaron la defuncion al Cónsul, para que acudiese á la casa mortuoria y cumpliese lo que la ley de extranjería previene en tales casos; que el expresado funcionario se negó á cumplir con su deber, contrastando su conducta con la del Sr. Juez de primera instancia que, avisado, acudió inmediatamente al lugar del suceso; y por último, que en vez de hacer el inventario, el Sr. Cónsul se limitó á llevarse todos los muebles y papeles al Consulado, infrinjiendo así la ley de Extranjería.

La primera inexactitud en que el autor del suelto ha incurrido consiste en suponer que D. Ramon Fernandez Criado estaba de tránsito en esta ciudad, cuando nadie ignora que estaba domiciliado aquí, con casa abierta y escritorio desde 1877, administrando sus propios bienes y los que poseía en comunidad con sus hermanos, é inscrito con tal carácter de domiciliado en el Registro del Consulado.

El Sr. Cónsul, que conoce perfectamente la ley de Extrangería, esperaba comunicacion del Juzgado de primera instancia para proceder unidos á segurar los bienes del finado, inventariarlos y ponerlos despues á disposicion de los herederos, como previene el artículo 44 de dicha ley, segun el cual no es el Cónsul asistido del Juez, sino el Juez asistido del Cónsul quien en los dominios españoles ha de proceder á esas primeras diligencias.

El Juez no hizo al principio participacion ninguna al Cónsul, porque ignoraba la calidad de ciudadano americano que el finado tenia; y lo ignoraba, porque el dueño ó inquilino principal de la casa en que ocurrió el fallecimiento redactó el parte con tan mala fortuna que de él resultaba ser ciudadano americano el participante y no el finado. En el concepto, pues, de tratarse de un ciudadano español, el Sr. Juez del Distrito de la Catedral, que no debe ser muy simpático al autor del suelto, ocupó los muebles y papeles, los cerró y selló y constituyó en depósito: y cuando se enteró de que el difunto era ciudadano americano, remitió las diligencias al Cónsul, poniendo á su disposicion las llaves y bienes asegurados.

Sabedores de todo lo ocurrido los hermanos de D. Ramon, que á falta de testamento serian ó son sus naturales herederos, pidieron por escrito al Cónsul que oficiara al Juzgado para que éste señalara dia y hora, á fin de proceder ambos unidos á practicar las diligencias legales del caso: el Juez estimó que su intervencion debia limitarse á levantar los sellos que habia puesto y dejar los bienes á disposicion del Cónsul; y habiéndose señalado el dia 20 á las 8 de la mañana para ese acto, hubo de llevarse á efecto, con asistencia del Escribano y al guacil del Juzgado, (por delegacion el primero), los parientes y varios testigos. Levantados por el alguacil los sellos, cuya integridad se hizo constar, quedaron los muebles y papeles á disposicion del Cónsul.

Hecho esto y ántes de comenzarse el inventario, manifestó el inquilino su deseo de que todos los papeles y documentos se encerrasen en cofres, y sellados estos, se llevasen con los muebles al Consulado, donde podria hacerse el inventario formal, dejándole á él en aptitud de desocupar la casa; á lo que el Sr. Cónsul accedió, prévia conformidad de los parientes presentes y de los abogados representantes de los ausentes, Sres. Monteverde y Gonzalez de Mendoza.

Observóse igual procedimiento en la habitacion donde estaba el escritorio de los herederos de Doña Francisca Gomez de Fernandez Criado, cuyos bienes administraba D. Ramon: levantados los sellos por el alguacil y puestos los libros, papeles y muebles á disposicion del Cónsul, procedió éste á anotar los saldos en el libro correspondiente, abrir la caja y contar el numerario,

suspendiendose la diligencia en ese estado por acercarse la puesta del sol. Al siguiente dia continuó la diligencia con asistencia de los mismos interesados ó idénticas formalidades; manifestaron los condueños que no querian conservar aquel local en alquiler, por lo que se procedió á un lijero exámen en busca de alguna disposicion testamentaria, y no habiéndose encontrado ninguna, se colocaron de nuevo los papeles en cajas, carpetas y escritorios que, debidamente cerrados y sellados, fueron trasladadss al Consulado, donde ha principiado ya formalmente la formacion de inventario con toda la solemnidad que el caso requiere.

Como el desenfadado autor del suelto habla de herederos instituidos y de responsabilidades que éstos han de exijir, conviene tener presente que, pocos dias ántes de morir D. Ramon, el Dr. Lebredo, que le juzgaba ya en estado de suma gravedad, manifestó que en cumplimiento de su deber y toda vez que el enfermo se encontraba en su pleno conocimiento, se le debia indicar que, si tenía que hacer algunas disposiciones, las hiciese: los parientes instados por un amigo del enfermo, aprobaron la indicacion, sin aceptar personalmente ninguno de ellos tan triste mision, de la cual se encargó el señor D. Pedro de Leon sin resultado útil, pues el enfermo le contestó "que haria testamento cuando se pusiera bueno." El Dr. D. Antonio Gonzalez de Mendoza obtuvo una respuesta análoga, y D. Ramon murió desgraciadamente sin haber otorgado disposicion final de ninguna clase durante su enfermedad.

¿La tenía otorgada con anterioridad? Esto es lo que se ignora todavía: en lo posible cabe que exista testamento otorgado aquí ó en el extranjero: si pareciese alguno legítimo y cierto se cumplirá su voluntad expresa: y si no pareciere, se cumplirá su voluntad presunta sucediéndole los que deban heredarle conforme á derecho.

Con estos antecedentes el público, que tanto ha oido hablar en estos dias de testamentos, codicilos, legados cuantiosos para escuelas y de albaceas nombrados por don Ramon Fernandez Criado, podrá formar juicio exacto de lo que ocurre, y del valor que merecen las inmeditadas é indignas inculpaciones que se han dirigido al señor Cónsul de los Estados Unidos en esta ciudad, cuyo alto concepto no puede sufrir por ellas, y cuya conducta será seguramente aprobada por el Gobierno de su Nacion.

Translation.

The Succession of Don Ramon Fernandez Criado.

Complying with the offer made in our last Thursday's issue and trusting to the accounts of persons in whom we have implicit faith, we are now

going to narrate all that has ocurred in the affair, which we may call the "Succession "of Don Ramon Fernandez "Criado"; to the end that public opinion may not go astray nor the high and well merited reputation of Mr Ramon O. Williams, Consul General of the United States in this City, suffer unjustly from the attack contained in an article published, by our worthy colleague ~~the~~ "La Discusion, in its issue of the 21st instant.

It is said in that article, that Don Ramon Fernandez Criado, an American citizen and transient resident of this City, had died, and that two American citizens had informed the Consul of his death; that he might go

at

at once to the mortuary house and perform what the law relative to foreigners exacts in such cases: that the said functionary refused to comply with his duty, in this, his conduct contrasting greatly with that of the Judge of First Instance, who as soon as he was called went, ~~immediately~~, to the place where the death occurred; and lastly instead of making the inventory, the Consul limited himself to the carrying away of the furniture and papers to the Consulate, thus infringing the law governing foreigners.

Now the first error in which the writer incurs, consists in supposing that Don Ramon Fernandez Criado was here in transit, when every body knows that he was domiciled here, living

with

with an open house, and with his counting room establish= -ed since 1877, and was administrating his own property, and that which he possessed in common with his brothers, and that he was inscribed as a domiciled American citizen in the Register of the United States Consulate.

The Consul who is perfectly well conversant with the Law relative to foreigners, awaited a com= =munication of the fact from the Judge of First Instance to proceed together to secure the effects of the deceased, to inventory them and after =wards place them at the disposal of the heirs, as provided by article 44 of said Law; according to which, it is not the Consul

accompanied

accompanied by the Judge,
but the Judge accompanied
by the Consul who in Spanish
dominions is the one to take the
initiative in these proceedings.

At the beginning, the
Judge did not notify the
Consul because he was ignorant
of the fact of the American
citizenship of the deceased,
and was ignorant of this fact,
because the owner or principal
tenant of the house in which
Criado died, dictated his
notification to the Judge with
such bad luck that he makes
himself appear to the Judge
as the American citizen and
the deceased as a Spanish
subject. Therefore, in this
understanding, the Judge
of the Cathedral District,
who surely is not very sym-
=athetic with the author of
the article, took charge of

the

the furniture and papers; closed and sealed them, and left them in deposit; and when he ascertained that the deceased was an American citizen, he remitted the proceedings to the Consul, placing at his disposal the keys and the effects he had secured.

Then, the brothers of Dn Ramon, aware of what had occurred; and who in the absence of a will would be his natural heirs, presented a writing to the Consul &c petitioning him to ask the Judge to appoint a day and hour, that they might go together and perform the necessary legal acts in the matter; such as the removal of the Spanish seals and the formal &c delivery to the Consul; the

Judge.

Judge decided that his inter=
=vention for the present,
should be limited to the re=
=moval of the seals, and
the placing of the effects
at the disposal of the Consul;
and, the 20th day of this month,
at 8 o'clock A.M., having
been selected for the Act and a
Notary Public, accompanied by the
bailiff, the former being duly
commissioned and delegated for
the purpose by the Judge of
the Court, and in the presence
of the relatives of the deceased
and several witnesses the seals
were removed (levantados)
by the bailiff after they had
been satisfactorily inspected,
and the furniture and
papers were placed at the =
disposal of the Consul.

This being done, and
before proceeding to make
the inventory, the tenant of

the

the house, manifested his desire that all the papers and documents should be enclosed in coffers and sealed, and that these together with the furniture be conveyed to the Consulate where the formal inventory could be made, leaving him free to vacate the house: to this proposition the Consul acceded after agreement with the relatives present, and the attornies of the relatives, absent, Messrs Mendoza and Monteverde.

A similar proceeding was observed at the counting room of the heirs of Doña Francisca Gomez de Fernandez Criado, whose business was administered by Don Ramon: the seals having been removed by the bailiff and the books papers and furniture placed at the disposal of the Consul, he proceeded to take a note

of the balances in the Cash-
Book; he opened the iron safe
and counted the Cash on hand,
and here the operation ceased
because of its being near sun-
-down.

On the following day
the operation was continued
with the required formalities
in the presence of the same
witnesses: the co-owners having
declared that they did not
wish to rent that office any
longer, only a slight examin
-ation was made in search
of any testamentary disposi-
-tion that might exist and none
having been found, the papers
were again returned to their
drawers, armoires and desks,
which duly closed and sealed
were transferred to the Consul-
-ate, where the formation
of the inventory has been
commenced with all the

solemnity

solemnity that the case requires

As the angered author of the article in the "Discusion" speaks of heirs that have been instituted and of the responsibilities that these will exact, it is well to remember that a few days before Dn Ramon died Doctor Lebredo, the attending physician, who considered him in a very critical condition, advised that, in fulfilment of his duty, and whilst the patient yet preserved full clearness of mind, it should be indicated to him, that if he had any orders to give, that he should give them; his relatives, urged by a friend, approved the suggestion, but would not themselves accept the sad mission which was then undertaken by Don Pedro de Leon, without useful

result

result, because the patient answered, that "he would make "his will after recovery."

Doctor Mendoza, obtained an analogous answer and Dr Ramon died unfortunately without making any final disposition of any kind during his sickness.

Will he have made it before.? This is what is yet ignored: it is possible that a will may exist here or abroad; if a true and legitimate one should appear, this expressed intention will be fulfilled: and if none should appear, his presumed intention will be carried out, by the succession of those who will inherit it; to his property according to the law.

With these ante=cedents the public who has heard so much lately

of

of testaments, codicils and
rich legacies for schools,
and of executors appointed
by Don Ramon Fernandez
Criado, can form an exact
judgment of what occurs,
and of the value of the
unmeditated and insulting
accusation, directed against
the Consul of the United States
in this City, whose high
standing cannot be injured
by them, and whose conduct
will be approved by the
Government of his Nation.

Mr O'Connor

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July 11th

No 1161. U.S. Consulate General
Habana June 28th 1882.

Mr Williams, to the
Department of State.

Estate of the late Mr Ramon Fernandez Criado y Gomez and search for his will among his papers.

No 1161 U.S. Consulate General.
Havana, June 28th 1882.

Hon J.C. Bancroft Davis-
Assistant Secretary of State.
Washington.

Sir:

Referring to my dispatch
=es Nos. 1157 and 1159, dated respect=
=irely the 20th and 24th instant:
I now have the honor to commun=
=icate to the Department, that
on last monday morning the
26th. instant at 7. o'clock A.M,
in the presence of the brothers,
and of the attornies for absent
relations, and of the ex-clerks,
I resumed the search which
lasted, excepting the recess
for breakfast, until 7 P.M.
for the will, and formation
of the inventory of the late
Don Ramon Fernandez
Criado, without finding
any will, or other testamentary

disposition

disposition of the said late Criado.

In view of the carefulness of this search, which was practiced with all his papers, it is now my conviction, that, no will of his, exists among these papers.

It is also pertinent, in connexion with this subject, to state herewith, that I did find a baptismal certificate said to refer to the young lady who is now claimed to have been recognized by Don Ramon, as his natural daughter, and instituted by him as his heiress; and that said baptismal certificate states that she is the legitimate daughter of another father. This certificate was replaced by me in the drawer of the iron safe, wherein lays the money found therein.

L

I have the honor to be Sir,

Very respectfully -

Your Obedient Servant.

R. C. Williams

Vice Consul & General.

Answd July 13/82

Relates to Despatch No 1137

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No 1162. U.S. Consulate General.
Havana, June 29th 1882.

Wm Williams, to the
Department of State.

In reference to the petition of Doctor Dionisio J. Saez, a naturalized citizen of the United States, forwarded to the Department, May 19th 1882, with dispatch No 1137. of the writer.

No 1162. U.S. Consulate General.
Habana, June 29th 1882

Hon: J.C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

Referring to my dispatch No. 1137, of 19th of May, ultimo, relating to the petition of Doctor Dionisio J. Saez a naturalized citizen of the United States, addressed by him to the President of the United States, to the end that he be granted permission to exercise the duties of phys=ician in the city Hospital of Cardenas in this Island, without unfoairing his Americ=an citizenship, I have now to report that Doctor Saez, has by proxy, applied to this office to know if an answer had yet been received from the Department

to said petition, and having been informed in the negative; he asks me to be the vehicle of his respectful request, that the Honorable the Secretary of State, be pleased to give the matter his early attention.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant
R. C. Williams
~~Vice Consul General~~

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No 1163. — U.S. Consulate General.
Havana, June 30th 1882.

Mr Williams, to the
Department of State.

Acknowledging receipt of instruct-ion No 659 of 23d instant, in reference to the estate of the late Mr Ramon Fernandez Criado y Gomez, a citizen of the United States.

No 1163. U.S. Consulate General
Havana, June 30th 1882

Hon J.C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

I have the honor to acknowledge the receipt of your instruction No 659, dated the 23d instant & and to express my gratification at your entire approval of my refusal to seal certain locks belonging to Mr Ramon Fernandez Criado y Gomez, a deceased American citizen, having as I said, reasons to believe that the parties who made the request only intended to use me as an instrument for the accomplishment of a fraud.

For my future guidance and conduct in the affair, I take due note &; of your remark that any interference of the United

United States Government in this matter, will simply beget new complications.

In this view, as soon as the inventory of the certificates of public stocks, known from cursory inspection, to exist in the iron safe which I have sealed, and of which I have the keys is made out for transmission to the Department, it will be quite necessary for this office to disem= =barrass itself, as soon as possible from further interference in the affair, by delivery of the properties to some person duly authorized to receive and receipt for them; because the will of Mr Criado promises to be a very complicated and litigious affair, and capable of absorbing the most of the time and attention of this Consulate with corresponding detriment to its legitimate business.

I am Sir, very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General.

Mr O Connor

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No 1164. U. S. Consulate General
Havana July 1st 1882.

Mr Williams, to the
Department of State.

Estate and Will of the late Mr Ramon Fernandez Criado y Gomez, a naturalized citizen of the United States.

No 1164. U.S. Consulate General
Habana, July 1st 1882.

Hon J.C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

With reference to my despatch No. 1154 dated the 9th ultimo and series, I now beg to report that yesterday about noon, Don José Hernandez Abreu, a well known lawyer of this city, accompanied by a woman dressed in deep mourning, said to be the wife of a Mr Valdes, and claiming to be the mother of the reputed natural daughter of Mr Ramon Fernandez Criado y Gomez, a deceased American citizen, entered this office together.

Mr Hernandez, then introduced the woman, saying to me that she was the holder

of

of Criado's will, and with the utmost simplicity of innocence requested me to accompany him to the local Judge who sealed Criado's deeds the night of his death; and for me to deliver him the will with the assurance of its authentic -ity.

I courteously declined to perform this service, informing them at the same time, that if they did not wish to give the will to me, for safe-keeping, that, they themselves, must deliver it to the Judge. Mr Hernandez then answered that they would go at once and deliver it to him, upon which they left the office apparently to carry out the purpose at once.

But as an occurrence taken place since then leads

me

me to doubt of their intentions, I have sent Mr. Hernandez word through a lawyer of this city, that if the will is not surrendered to day into the hands of the local Judge for transmission to me, I shall invoke the intervention of the Governor General against them.

It now appears that the same parties who complained against me to the Department, and afterwards followed up the attack in the newspaper, "La Discusion" of this City, are the purloiners of the will.

I have the honor to be, Sir,

very respectfully

Your Obedient Servant

R. O. Williams

Vice Consul General.

Mr 6 Consular

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No 1165. U.S. Consulate General
Havana, July 1st 1882.

Mr Williams, to the
Department of State

Will of the late Mr Ramon
Fernandez Criado.

Transmitting two original letters,
addressed to the writer, under
this date by Messrs Joseph A.
Springer, U.S. Consular Clerk,
and Louis V. Schmidt, employees
of this office.

No. 1165. U.S. Consulate General

Havana, July 1st 1882.

Hon J. C. Bancroft Davis.

Assistant Secretary of State.

Washington.

Sir:

Referring to that part of my dispatch No. 1154 dated the 9th ultimo relating to the visit to this office of Dn Joaquin Maria Cabaleiro and Dn Luis Cabaleiro, on the 5th ultimo in search of information for the making of Wills and codicils in accordance with the laws of the State of New York, I now inclose for your information a letter addressed to me under this date by Mr Joseph A. Springer, U.S. Consular Clerk, who was witness of a part of what transpired upon that occasion.

I also enclose the letter of Mr Louis V. Schmidt, likewise a witness and clerk in this office, which relates to the same

subject.

I have further to say that on or about the 19th instant, the same two men herein alluded to, Don Joaquin Maria Cabaleiro and Don Luis Cabaleiro, again called on me at this office, and that during the conversation that ensued, the former stated to me that Don Ramon Fernandez Criado had by codicil instituted his natural daughter as sole heiress of his property, and that he, Cabaleiro, had been appointed her guardian; further that his object in calling on me on the 5th of that same month was in relation to this same subject.

I have the honor to be, Sir, very respectfully, Your Obedient Servant

R. O. Williams

Vice Consul General.

U. S. Consulate General
Havana July 1st 1882

On the 5th of June last, Mr Luis Caballero y Contante, with whom I am slightly acquainted, from the fact of his being an American citizen registered in this office, accompanied by his brother, Joaquin Caballero, came into the Consular office at about noon, and leaning over my desk, stated that they wished to consult me on a matter; Joaquin Caballero, who seemed to be quite earnest, then called me from behind my desk and I stepped to one corner

of the office to hear what
he had to say. This did
not seem to him to be
private enough, and he
took me into the inner office,
the door of which happened
to be open, and then stand-
ing within the office, stated
that he wished to learn some
thing about wills made in
the United States, their bear-
ing upon property in this
Island, the manner in
which they were made;
if it was requisite to be
done before a Notary, and
the number of witnesses re-
quired, as the number varied
in some States - As soon as
I learned the object of his
inquiry, I referred him to
Mr Williams, the Vice Consul
General, and introduced him,

but I remember introducing him at the moment as Mr Zayas, as his name escaped my memory, and a resemblance to Dr Zayas, brought up that name - Mr Williams invited the gentlemen to take seats, and I retired.

Upon coming out from their interview, they said to me that Mr Williams could not give them the information they desired - I asked them to call again, and I would refer meanwhile, to some books in the office, and perhaps I could find what they desired to know - I had no idea, that they wished to do anything else than consult about a will made in the United States, and I even g[illegible]

them the names of several
Cuban lawyers, who had
had experience in the United
States, and I supposed could
inform them.

I think it was the very
next day, that Mr Luis Ca-
baleiro and Dr José Ramon Aguirre
came to the office, and I showed
them a book called the "Clerks
Assistant", which gave some
information about wills. Dr
Aguirre then spoke of the
death of Dn Ramon Fernandez
Criado, stating that Mr Williams
had refused to attend after his
death, to seal up and take
charge of his effects, make
inventory &c, and that it was
intended to protect against
him, and to inform the De-
partment of State of his

action in the matter. I recollect I replied .. I guess that Dr Ramon Williams knew what he was about, even if it was as they said, but manifestly it was not my place to express any opinion in the matter - After consulting over the book I loaned them and talking very earnestly together, they went away -

This is all I know of the matter, and if required I am willing to attest to the truth of the foregoing statement.

Respectfully submitted

Jos. H. Springer
U.S. Consular Clerk
at Havana

F. C. Williams Esq
Chargé Vice Consul General
at Havana -

U. S. Consulate General
Havana, July 1st 1882.

Ramon O. Williams, Esquire,
Vice Consul General of the United
States.

Present.

Sir:

I beg to say that I was present when you were called upon by Messrs Joaquin Maria Cabaleiro and Luis Cabaleiro, on the 5th day of last month and heard them distinctly ask you for information regarding the forms used in making Wills and codicils in accordance with the Laws of the State of New York and to which conversation, I am willing to testify hereafter should I be called upon for that purpose.

I am, Sir, very respectfully,
Your Obedient Servant
L. W. Schmidt.

Mr Williams

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No 1166. U. S. Consulate General
Havana, July 1st 1882.

Mr Williams, to the
Department of State.

Will of the late Mr Ramon
Fernandez Criado y Gomez

No 1166 U.S. Consulate General.

Habana, July 1st 1882.

Hon J. C. Bancroft Davis -

Assistant Secretary of State.

Washington.

Sir:

At this, 4 o'clock P.M. I have just received the news from the Mr Hernandez mentioned in my dispatch nº 1164, of this date, that the Will of Mr Ramon Fernandez Criado has been presented to-day to the Judge of First Instance of the District of the Cathedral of this City.

I am, Sir,

very respectfully,

Your Obedient Servant.

R. O. Williams

Vice Consul General.

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No 1167. U.S. Consulate General
Havana, July 6th 1882.

Mr Williams, to the
Department of State.

Accompanying a sealed package, containing #163,600.- in bonds of the United States, to be fowarded to Messrs P. Harmony's Nephews & Co. of no 63 Broadway New York City.

Package as above addressed.

Forwarded by Registered letter July 12

75 cts not exceed.

J.H.

JUL 12 1882

Read. of Dept of State —
Letter to P. Harmony & Nephews
Nov. 11. N. Y. City
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Anderson
for P. Am.

No 1167 U.S. Consulate General
Habana, July 6th 1882.

Hon J. C. Bancroft Davis.
Assistant Secretary of State.
Washington.

Sir:

At the request of Mrs Josefa Pedroso de Pedroso, of this City I transmit herewith a sealed package, addressed to Messrs P. Harmony's Nephews & Co, P.O. Box No 279, New York, containing — $163,600. —, one hundred and sixty three thousand six hundred dollars, in certificates of Stock of the United States, which I respectfully beg may be forwarded safely to its address, through registered mail, for which purpose seventy five cents are inclosed to cover postage.

I am, Sir, very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General.

Package enclosed

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No 1168. U.S. Consulate General.
Havana, July 13th 1882

Mr Williams, to the
Department of State.

Acknowledging receipt
of instructions.

No 1168. U.S. Consulate General
Havana, July 13th 1882.

Hon J. C. Bancroft Davis
Assistant Secretary of State.
Washington.

Sir:

I have to acknowledge receipt of your instructions numbers 657, 658, 660, 661 and 662, respectively dated the 9th, 23d, 27th and 30th June ultimo, and 1st instant, the contents of which have my most careful attention.

I am, Sir, very respectfully,
Your Obedient Servant.
R. D. Williams
Vice Consul General

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Judge O'Connor

ack and beg to Mr. Williams that the receipt of the dispatch is to be thankfully observed by him; & That His Government forbids any interference in the settlement 1169 United States Consulate General, of estate of Commr Gilpin dying abroad Havana, July 15th: 1882.
effect by the municipal authorities of its officers in facilitating the matters
Mr: Williams, to the
The Law pro-tem must pronounce
Department of State, O'Connor
July 24, 1882

Will of the late Mr: Ramon Fernandez Criado y Gomez,

Transmitting translations of communications addressed to the Judge of the Court of the First Instance of the District of the Cathedral in reference to the above will,

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3 Inclosures
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N° 1169 — U.S. Consulate General.

Havana, 15 July, 1882.

Hon: J. C. Bancroft Davis,
Assistant Secretary of State,
Washington,

Sir:

With reference to my despatches N° 1164 dated the 12th. instant, relating to the appearance of the will of the deceased American citizen Mr. Ramon Hernandez Criado y Gomez, and N° 1166 of the same date transmitting the information received from Don José Hernandez Abren, that it had been presented to the Judge of the First Instance of the District of the Cathedral of this City, I now beg to say, that the truth of the matter is entirely contrary to what the mis-representations of the parties concerned made me believe,

With the view of satisfying myself as to the exactness of the

Messages

message sent me by don José Hernandez Abreu, in the sense, that the presentation of the will to the Court means the delivery of it into the possession of the Court; on the evening of the same day, viz, the 16th. inst: I sent my card to Judge don Pablo Martinez Saenz, the same one who interfered in the securing and sealing of the effects of deceased Fernandez Criado on the night of his death, asking him to inform me by the bearer, if the will was really in the possession of the Court.

On reaching the house of the Judge, the bearer of my card, don German Garcia, a lawyer of this City, whose legal advice I have frequently taken in the course of these proceedings, found the Judge absent, but leaving it, returned the next morning for the answer, when he found him and was by him informed in that in effect, a

a woman had presented him a written
Memorial and a document, and that
he had ordered that she satisfy the
said memorial with the view of
his studying the case, and to
decide if he should take further
cognizance of the subject or not.

From this answer, and from
the precise terms of my message,
I inferred, and felt convinced,
that the Judge had the will,
and gave myself no further
concern about it.

However, on the 7th: inst:
Mr: Antonio Criado y Gomez, brother
of the late Mr: Ramon Jemenez
Criado, called at this office to say,
that he had that same day called
upon Judge Saenz, to request of him to see
his brothers will, but to his profound
astonishment the Judge, informed
him, that it was not in his
possession.

In view of this new
evolvement, I addressed a

Communication

communication under date of the 8th. inst. to the Judge, suggesting that in pursuance of the course of the proceedings observed at the beginning of this case, I expected that he would permit me the will after ordering some precautions of a purely local character.

A reasonable time having transpired without receiving a reply from the Judge, I again addressed him upon the subject on the evening of the 11th. inst. copies of both communications in translated form are herewith adjoined.

Yesterday, I received an answer from the Judge a copy enclosed, dated the same day, the 12th. inst. in reply to my communication of the 11th. but ignoring entirely that of the 8th. and omitting all reference to his verbal answer of the 7th inst. to my private note of the 10th.

From private advices, I learn

that the woman really delivered the will to the Judge on the 1st: but with or without bad intention, she again put it into her pocket, and went away with it, leaving the Judge under the impression that it had been put into the possession of the Court, and the mistake may not discovered for several days after. And it is now rumored that it has been carried to New York for submission to probate.

I am, Sir, very respectfully,
Your obedient Servant,
R. O. Williams
Vice Consul General.

Inclosures,

1. — R. Williams to the Judge of the Court of First Instance of the Cathedral District, dated 8th: July, 1882.
2. — Same to Same, Dated July 12/82.
3. — The Judge of Court of First Instance of the Cathedral District of this City, dated 15 July, 1882.

Enclosure No 1 -
With dispatch No 1169 -
Havana July 15th 1882.

Copy translation.

This Consulate General having been informed that a will, purporting to be that of the deceased American citizen Mr Ramon Fernandez Criado y Gomez, has been delivered to the Court, over which Your Honor so worthily presides, and understanding that after some legal proceedings ordered by Your Honor, of a purely local character are finished, that it will be remitted to me in the same manner as the written process of the legal proceedings carried out on the death of Mr Fernandez Criado; I have, in this view to expect that Y. H. will order that the same practice will be continued as used to the

present.

Please acknowledge the receipt of this communication.

I am

Havana July 8th 1882.

(signed) R. O. Williams

U.S. Consul General.

Enclosure No 2.
With Dispatch No 1169.
Havana July 15th 1882.

Copy. translation.

This Consulate General having been advised that a will, said to belong to the deceased American citizen Mr Ramon Fernandez Criado y Gomez, had been delivered to the Court, under your worthy charge, by a woman, who had it in her possession, - was under the necessity of ascertaining the certainty of this fact, and I sent you a private message, asking if such was the fact, and I received an affirmative answer from Your Honor.

But later on, certain rumors having been circulated of a contrary nature, I was led to address you with mine

persistence my communication of the 8th instant, to which I have not yet received an answer, due without doubt, to the multifarious occupations of the Court.

In view of the facts herein related, it is now very necessary for me to know, if in fact, the will of Sr Fernander Criado was or was not delivered to the Court, and I therefore again molest your attention asking you to have the goodness to answer me in the one or the other sense, and trust to receive an early reply.

&c &c

Havana 11th July 1882

Signed, R. O. Williams

U.S. Consul General

Enclosure No 3
With Despatch No 1169.
Havana July 15th 1882.

Copy translation.

In reply to your attentive communication of the 1st instant, I have the pleasure to inform you, that though true that Doña Isabel Valdivia, has presented in this Court, a writing dated the 1st instant saying that she had in her possession a will of Don Ramon Fernandez Criado, she did not present with it the said will, neither has she done so since -

God guard you many years.
Habana July 12 1882
(signed) P. Martinez Saenz

To the
Consul General of the United States of America.

ack. Aug 4/82

DEPARTMENT OF STATE
JUL 24 1882
RECEIVED

ack. has been filed in accordance with the Hamels regt D'Wclain

No 1170. U.S. Consulate General,
Havana, 17 July, 1882.

Mr: Williams, to the
Department of State,

Protest of Mr: Henry B. Hamel made before this Consulate, against arbitrary assessment of taxes on a horse purchased by him in this City of Havana.

One Enclosure.

No 1170. Havana, 17 July, 1882.

Hon: J. C. Bancroft Davis,
Assistant Secretary of State,
Washington,

Sir:

At the request of M Henry B. Hamel, an american citizen established and doing business here as a Ship-broker, I herewith, accompany copy of his protest made before me on the 11th inst: against the collection of certain taxes based upon an arbitrary and exaggerated valuation affixed by the authorities to a house purchased about a year ago, payment of which taxes he has refused upon the grounds stated in his protest.

Mr. Hamel, asks that the Department may be pleased to have placed in file this protest & serve him if hereafter required,

averring that he has bought the house in question at its full market value of £ 4000, upon which he is willing to pay the corresponding Royal Duties; and further, that the £ 9.500 fixed by the authorities as the base upon which to collect these duties, is entirely fictitious and without relation to the market value of the house.

I am, Sir, very respectfully,
Your Obt: Servant,
R. C. Williams
U.S. Vice Consul General.

One Inclosure.
Copy of ltr: Henry B. Hamely
protest before this Consulate, dated
the 11th: of July, 1882:

Inclosure No. 1170
With Dispatch No.
Havana, July 17th 1882.

Copy.-

United States Consulate General.
Havana, July 11th 1882.

On this eleventh day of July 1882, before me the undersigned, United States Vice Consul General at Havana, personally appeared Mr Henry B. Hamel, a citizen of the United States, residing in this City and doing business at No 2 Mercaderes St. who being by me first duly sworn, did declare and state as follows:

That about the month of July 1881, he purchased a house situated in the suburbs of this city, No 2 Alejandro Ramirez Street, from Mr Luis Alum, paying therefor

the amount of two thousand dollars in Cash and giving a mortgage upon the same property for two thousand dollars, the said amount being the sum of four thousand dollars, the purchase price of said house:

That the Government taxes becoming due upon said transaction, for the transfer so known as "derechos reales" and amounting to 4 1/2 o/o and 1 1/2 o/o on the mortgage were appraised by the tax officers of the Government upon over $11,000.- as the value of said property:

This appearer thereupon duly proved to the Government that the tax had been erroneously assessed upon the arbitrary appraised value of the house referred to; but was intended to apply to another contiguous house

house. which had formerly
been numbered with the
same number on that street;
That upon due representation
by this appearer the house
was again appraised and
its value stated at about $9.500.—

Being notified to make
payment of the taxes corres=
=pondingly assessed, this appearer
again objected to the said appraise
=ment and made verbal
representations to that effect
upon the grounds that the
appraisement was unreasonably
in excess of the market value
of the property, at the Consulate
General of the United States
and at his instance and
request, the Consul General
called several times upon
the Captain General, and
other authorities in relation
to the matter.

Notwithstanding all

the

the efforts of this appearer to arrange satisfactorily the matter, the tax officers of the Government ordered an embargo to be levied upon the property and furniture of this appearer and on this day, at about noon, the officer known as the "executor de apremio" presented himself at the office of this appearer, for the purpose of carrying said order into effect.

Being an order to levy upon the property and furniture, the same was delayed, by the declaration that he owned no property or effects there present, and further protesting against the execution of said order.

Therefore the said appearer hereby enters his

protest

protest, to serve and avail him thereafter, protesting against all and every thing as done in the premises, and against whomsoever it doth or may concern, and doth declare that all losses, costs damages or expenses, are and ought to be borne by those to whom the same may by right appertain.

Thus done and protested at Havana this 11th day of July 1882.

Signed / Henry B. Hamel.

In testimony whereof this appearer has hereunto subscribed his name and I the said Vice Consul General have granted him this instrument of declaration and protest under my hand and the seal of this Consulate General.

General to serve and avail
him hereafter as need and
occasion may require.

(Signed) R. O. Williams
U. S. Vice Consul General

L. S.

Aeh 8

Aug 11/82

DEPARTMENT OF STATE
JUL 24 1882
RECEIVED

attorney -
write Madrid to con
Order this in connection
with Niagara Saratoga &c.
Call attention to matter of
last month &c

Copy sent to Hamlin
Madrid, Aug. 2/82
Dy 2

No 1171. Consulate General

Havana, 17 July, 1882.

D of Claims

Mr: Williams, to the

Department of State,

Protest of Capt: C.W. H. Welch,
of the American brig Mary Bartlett,
against fine of $400, imposed
by the Customs authorities of
Cienfuegos on said brig,

One Enclosure,

N° 1171. U.S. Consulate General.
Havana, 17 July, 1882.

Hon: J. C. Bancroft Davis,
Assistant Secretary of State,

Sir:

With reference to my despatch N° 1150, dated the 7th: ult: and replying to your N° 663 of the 1st: inst: relating to the fine of $400, imposed on the American brig Mary Bartlett, by the customs authorities of Cienfuegos, and complying with your said instruction, I now beg to enclose a copy of the protest made by Capt C.H. Veltch of said brig before W.P. Pierce, U.S. Consul at that port on the 25th: of May last, which embraces all the information upon the subject on file in this Consulate. And I would respectfully ask, that it be forwarded to our Minister at Madrid to be presented in connection

in connection with the other cases pending of the Steamers Niagara, Saratoga, Alvo Newport, and the Brig Woodbury.

I am, Sir, Most Respectfully

Your Obt. Servant,

R.O. Williams

Inclosure.

Copy of the protest of Capt C.A Welch of the Am Brig Mary Bartlett, made before US Consul, W.T. Pierce Esq, at Cienfuegos on the 25th of May last.

Inclosure No
With Dispatch No
Harana July 1882.

Copy:

U.S. Consulate
Cienfuegos May 24th 1882

Be it known and made mani-
=fest that this day personally
appeared before me Wm. P.
Pierce, U S Consul for Cienfuegos
and the dependencies thereof,
C. H. Welch, who being duly
sworn deposes and states
to wit: that he is the master
of the American Brig "Mary
Bartlett" that he sailed in
and with the said Brig
from the port of New York
April 7th last past. bound
for Cienfuegos Cuba arriving
thereat April 28th. States
that he received his cargo
for said voyage from Olio,

and

and Perozo of New York; that they submitted bills of lading for said cargo to the house of Simpson Clapp & Co. agents of the said Brig - who prepared the manifest therefrom; states that he signed the bills of lading and the manifest as presented to him, not knowing that there was any discrepancy between the manifest and the cargo; states that he could see and knew that there was no discrepancy between the bills of lading and the manifest. Deponent states that Olis & Perozo told him everything was all right: and deponent believed everything was all right: Deponent had transported merchandise for Olis and Perozo previous to that and had had no trouble and he placed confidence in them on that occasion.

Deponent.

Deponent states that he was not aware at the time that the terms used in the bills of lading and manifest — incorrectly designated the =size of any of the packages of the merchandize that had been received on board said Brig. Further, the deponent states that since his arrival at Cienfuegos the Custom-House authorities there of have imposed, or are about to impose upon him or upon the said Brig a fine of four hundred dollars upon the allegation, as deponent is advised, that certain discrep=ancies exist between the said manifest and the said cargo.

Now therefore the said master, C. H. Welch, hath protested and does — solemnly and publicly protest, and I the said

Consul, at this special instance and request do protest against the imposition or collection of the said fine or of any portion thereof by the said Custom House authorities or any other person or persons; and further the said master, and the said Consul at his request, protest against the payment by the said vessel or master of any and all charges or expenses that have arisen or may arise against him or the said Brig on account of said fine or alleged discrepancies

In testimony whereof the said master hereunto subscribes his name and I, the said Consul, set my hand and affix the seal of this Consulate this 24th day of May 1882.

(Signed) C H Welch (signed) Wm P Pierce-
U. S. Consul.

master of american
Brig "Mary Bartlett"

Consulate

Consulate of the United States
of America -
Cienfuegos, May 25th 1882.

This is to certify that
the foregoing protest, signed
C H Welch and Wm O Pierce,
is a true and faithful copy
of the original on record
at this Consulate.

Given under my hand
and the seal of this
L. S. Consulate the day of
the date hereof
(signed) Wm O. Pierce
U. S. Consul

DEPARTMENT OF STATE
JUL 24 1882
RECEIVED

D. Steele
Dis

No 1172.

U.S. Consulate General
Havana July 19 1882

Mr Williams, to the
Department of State,

Transmitting returns and accounts for clerk hire, miscellaneous expenses and notarial fees, for 2nd quarter of 1882.

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3 Enclosures.

No 1172

U.S. Consulate General
Havana July 19 1882.

Hon.
J. C. Bancroft Davis,
Asst Secretary of State
Washington.

Sir:

I have the honor to transmit herewith the following return of notarial fees, and accounts for clerk hire for months of May and June, and miscellaneous expenses at this Consulate General, for the quarter ended June 30. 1882

Inclosure No 1. Statement of notarial fees received; Noted

Inclosure No 2. Account for Extra Clerk Hire, paid as follows: L. J. Schmidt $250.
" Jose Calvo . 50-
" L. Betancourt " 23-
Carry over $ 333-

3/

Brot over £333-

Enclosure No 3: Account for
Miscellaneous Expenses as.

Rent:	£300.-	
Stationery & Printing	" 9835	
Postage &c	" 9480	
Boat Hire	" 8350	
Subscriptions & Havana Journals	" 3350	
Telegram Expenses	£10826	
Forwarding boxes	" 650	
Boxes for archives	" 24 - " 74891	
	£108191	

The above amounts have been debited to the United States in account current for 2nd quarter of 1882, which shows a balance due to the United States of £ £173 58

I remain, Sir
Very respectfully,
Your obedient Servant,
R. O. Williams
A. Consul General.

3 enclosures.

UNITED STATES CONSULATE GENERAL AT HAVANA.

Notarial Fees received during the last Quarter ending June 30, 1882.

DATE.	No.	NAME OF VESSEL.	NAME OF THE PARTY PAYING THE FEE.	NATURE OF SERVICE RENDERED.	AMOUNT OF FEES PAID.	TOTAL.	REMARKS.
1882							
May	10		Antonio Alvarez	Auth Sig	2-1	2	
"	11		Jas S Harguden	" 2 " "	4-	4	
"	13		M O'Reilly	" 6 " "	12-		
	"		"	" Not. Doc	2-	14-	
"	17		Capt Barnes	" Sig deed	2-	2-	
"	20		Soares Marquez	" " of Prick	2-		
	"		Luis Martinez	" " Notary	2	" 4	
"	25		E Callazo	" Not Doc	2-		
	"		M Gomez	" Sig Merchants	2-	4	
June	30		Jos Suarez	" Signature	2-		
	"		Citizens	" Not. Sig.	2-	4-	
"	31		J Bacallao	" " "	2-	2-	
			Fees from May 6 to 31.			*36	
June	1		D Echeguren	Auth Sig	2-	2	
"	7		Pedro Gz	" Power Atty	2-	2	
"	10		Miguel Barbern	" 2 Not. Does	4-	4	
"	14		Lobe & Co	" 2 "	4-	4	
"	15		M Hernandez	" 2 "	4-	4	
"	16		A. Evares	" 2 "	4-	4-	
"	17		Marques Duquesne	" Not. Sig	2		
	"		G W Newton	" Sig	2		
	"		N. Evares	" " Not Does	2-	6-	
"	22		A Carrillo	" 2 "	4		
	"		A Bellester	" 1 "	2-	6-	
"	24		Jose Diaz	" C.H. Sig	2-	2	
"	26		B F. Lopez	" Not Sig	2-	2-	
"	30		"	" Power Atty	2-	2-	
			Total amount			$74.	

U.S. Consulate General -

I certify that the foregoing record of notarial services is a full and correct transcript of the record of this Consulate and that the same contains a true and accurate statement of all fees received at this Consulate for such services during the period named.

Havana June 30 1882.

R. O. Williams
U.S. Consul General.

Jos. M. Springer
U.S. Consular Clerk

UNITED STATES CONSULATE GENERAL AT HAVANA.

Fees received during the Quarter ending , 18 .

DATE.	No.	NAME OF VESSEL.	NAME OF THE PARTY PAYING THE FEE.	NATURE OF SERVICE RENDERED.	AMOUNT OF FEES PAID.	TOTAL.	REMARKS.

DEPARTMENT OF STATE
JUL 27 1882
RECEIVED

No 1173. U.S. Consulate General.
Havana, July 22d 1882

Mr Williams, to the
Department of State.

Acknowledging receipt of instruction No 664 of 13th inst.

Enclosing seventy five cents, in American silver coin, for the payment of postage on a package of bonds forwarded to the Department July 6th 1882.

No. 1143. U. S. Consulate General.
Havana, July 22 1882.

Hon William Hunter-
2nd Assistant Secretary of State.
Washington-

Sir:

I have the honor to acknowledge the receipt of your instruction No 664 of 13th instant, the contents of which have my careful attention.

Referring to my dispatch No 1164, of 6th inst, forwarding a package of bonds, I have to say I regret that the amount of seventy five cents, therein referred to, for the payment of postage was inadvertently omitted, and I now enclose said amount for reimbursement.

I am, Sir,
very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General.

#0.75/100 enclosed. O.K.

DEPARTMENT OF STATE
JUL
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Dy Hdair

Havana

No 5

Jamaica Long Island
Hyde July 22. 1882

The Hon W. Davis
Assistant Secretary of State

Sir:

I have the honor to acknowledge the receipt of your despatch of July 18. 1882, informing me that there is no objection to my remaining away from my post during the sickly season at Havana. I beg to express my thanks for the willingness of the Department to release me to that extent of its authority.

I am very respectfully
Your Obedient Servant
John Buchanan
Consul General at Havana

DEPARTMENT OF STATE
AUG 7 1882
RECEIVED

Desp.

No 1174. U.S. Consulate General.
Havana, August 1st 1882.

Mr Williams, to the
Department of State.

Acknowledging receipt of the Department's circular of July 8th ultimo, advising the appointment of Mr John Davis as Assistant Secretary of State.

No. 1174. U.S. Consulate General
Havana, August 1st 1882.

Hon Frederick T. Frelinghuysen.
Secretary of State.
Washington

Sir:

I have the honor to acknowledge the receipt of the Department's circular of 8th July, ultimo, announcing the appointment of Mr John Davis, of the District of Columbia, to be Assistant Secretary of State, and that Mr Davis has entered upon the duties of the said office.

I am, Sir,
Very respectfully
Your Obedient Servant
R.O. Williams
Vice Consul General.

DEPARTMENT OF STATE
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4 de

No 1175 U.S. Consulate General.
Havana, August 1st 1882.

Mr Williams, to the
Department of State.

Acknowledging receipt of
the Department's Circular
of July 18th ultimo, advising
the appointment of ~~Mr~~
Alvey A. Adee, to be Third
Assistant Secretary of State.

No 1175 U.S. Consulate General
Havana, August 1st 1882.

Hon Frederick T. Frelinghuysen
Secretary of State.
Washington.

Sir:

I have to acknowledge the receipt, on this date, of your Circular dated July 18th ultimo, informing me that Mr Alvey A. Adee has been appointed to the position of Third Assistant Secretary of State.

I have the honor to be, Sir,
Very respectfully,
Your Obedient Servant
R. A. Williams
Vice Consul General.

File 448

No 1176 - U.S. Consulate General
Havana, August 4th 1882.

DEPARTMENT OF STATE
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Mr Williams, to the
Department of State.

Fine imposed on the American
brig "George W. Chase" at
Sagua la Grande, in this
Island, the amount of
which, fifty dollars, was
collected by the Customs
authorities of said port,
November 9th 1881.

No. 1176. U. S. Consulate General

Havana, August 4th 1882.

Hon John Davis.

Assistant Secretary of State.

Washington.

Sir:

Referring to the De=
=partment's instruction No 655
dated June 1st ultimo, respect=
=ing the fine of ——— $50.—
collected on the 9th of November
last, in the port of Sagua
la Grande, of the American
brig "George W. Chase" from
Philadelphia, I have now to
say that immediately upon
its receipt, I called on the
Director General of Finance,

Don

Don Carlos de Rojas, to
notify him that the Spanish
Government had ordered
it to be remitted, provided
the error in the manifest,
originating it, was the
fault of the Spanish Consul
at Philadelphia; and there
existing no doubt on this
point in the mind of the
Director General, and having
received advice of similar
import, he agreed to send
the sum to this office
within a few days; but
not complying in this
respect as soon as I had
reason to expect, on the
17th of the same month of
June

June, I addressed him a written communication, reminding him of his unfulfilled promise. A few days after this he was succeeded in his office by Don Juan Loren, and finally no answer was received from him.

About a month ago, I made a visit to the present Director General, Señor Loren, who promised to attend to the matter at once; but this gentleman was soon after taken down with the yellow fever, and thus far I have heard nothing from him; but

as he has had the good
fortune to survive the
disease, and is now in
charge of his directorship,
I have again, under this
date, called his attention
in writing to the matter,
requesting its early settle-
=ment.

I have the honor to be, Sir,
Very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General.

DEPARTMENT OF ST
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Ack'd & requisition made on Bel Morgan Aug 28

allow

No. 1177. — U. S. Consulate General

Havana, August 10th 1882.

Mr Williams, to the

Department of State.

Requisition for a set of the last edition of "McCulloch's Commercial Dictionary for the use of this office

No 1177. U.S. Consulate General.
Havana, August 10th 1882

Hon John Davis.
Assistant Secretary of State.
Washington.

Sir:

I have respectfully to request that a set of the last edition of McCulloch's Mercantile Dictionary be furnished me by the Department, for the library and use of this office.

I am, Sir,

Very respectfully,
Your Obedient Servant
R.O. Williams
Vice Consul General.

box

Ack. Await further instructions as to the action of Capt Carl after the balance of course

DEPARTMENT OF STATE
AUG 17 1882

Ack'd Aug 28/82

No 1178. U.S. Consulate General.

Havana, August 12th 1882.

Mr Williams, to the

Department of State.

Interference of the Captain of the Port of Havana in the dispatch of American vessels, bound hence to the United States.

Reporting the detention of the American schooner "Lucy A. Davis", Stephen Collins master, of Portland, Me by the Captain of this port, after she had been duly cleared by the Local Custom House, compelling the master of said schooner to submit to fumigation, by the local Health Officer, 24 days after her arrival and when on the point of departure for the port of Philadelphia.

Six Inclosures.

No 1178. U.S. Consulate General.

Havana, August 12th 1882.

Hon John Davis.

Assistant Secretary of State.

Washington.

Sir:

I have the honor to submit for your perusal and attention the accompanying copies of a correspondence that under several dates has taken place between this Consulate and the Captain of the Port of Havana, and the Governor General of this Island upon the subjects of the Law of the United States, entitled "An "Act to prevent the introduct -ion of contagious or infectious diseases into the United States, and upon that of an order issued by the same Captain of the Port, on the 8th instant through the columns of the

"Diario de la Marina", of this City, by which that officer virtually arrogates to himself the right to intercept the departure from this harbor of all American vessels, regularly dispatched by the Customs Authorities, unless they shall have before loading their outward cargoes submitted to the operation of fumigation to be performed by the health officer of this port.

The inclosures infolding this correspondence are numbered as follows:

No 1. A communication from the Captain of the Port, dated July 4th 1882.

No 2. My reply thereto dated July 5th 1882.

No 3. A communication from the Secretary of the General Government of this Island,

dated

dated 16th July 1882, asking for a copy of the said law of the United States Govern=ment to prevent the intro=duction of contagious or infectious diseases into the United States.

No 4.- My reply thereto, dated 20th July 1882. remitting a copy of the law.

No 5.- The Captain of the Port to the writer, dated 7th July 1882.

No 6.- Copy of my communication to the Governor General, dated yesterday the 11th instant, remonstrating against the execution of the order referred to, of the Captain of the Port of Havana, and asking that the custom hitherto observed in dispatching American vessels in this port be left unchanged.

Urged by the importance

of this subject I went in
person, and presented to
the Governor General
this last communication.
As I had suspected, I
found he knew nothing
about the order of the
Captain of the Port; &
neither did His Excellency
seem to perceive any
reason or foundation
for it and having promised
me to give it immediate
attention, I withdrew.

But, accompanying
my communication I shew
to His Excellency, were two
letters, one received at this
office from Messrs Henry
B. Hamel & C°, consignees
of the three masted Ameri-
-can schooner "Lucy A Davis",
Captain Stephen Collins,
of Portland, 621 tons, which
cleared at the Custom House

the

the 7th instant, or say one
day before the publication
of the Captain of the Port's
order stating that before
sailing on the morning
of the 8th for Philadelphia,
with a cargo of Sugar,
her Captain was compelled
by the Captain of the Port
to fumigate his vessel. Thus
was her departure inter=
=rupted after she had al=
=ready been duly cleared
at the Custom House for
Philadelphia. This act
occurred early on the
morning of the 8th inst:
without the knowledge
of this office.

This schooner arrived
here on the 16th of July, with
a cargo of ice from Boston:
was visited on arrival by
the local Health Officer, and
her sanitary conditions

<u>having</u>

having been found good, he at once admitted her to free-pratique, and by his order she was put in communication with the Custom House and by permission of the Collector of this Port discharged her inward cargo. Then, in pursuance of custom, and the permission of the license of the same collector, she loaded her outward cargo of sugar and cleared regularly at the Custom House; and on the 2 3d day after her arrival, and on the moment of departure for Philadelphia, she was intercepted by the Captain of the Port, and forced to fumigate at an expense of $6.12

The second of these letters is from Messrs

McKellar Luling & Co,
the agents of the magnifi
=cent line of American
Steamers of Messrs James
E. Ward & C of New York
City, in which they inform
this office that the Captain
of the Port, had threatened
them that if they took in
cargo for New York in
the next steamer without
first requesting his health
officer to fumigate her,
that he will discharge
the steamer at the expense
of the owners; and the
same consignees, have
requested instructions from
this Consulate as to what
they must do in the
matter. In answer
I have informed them
that the trade between
the United States and this
Island, is provided for,

and regulated by the
treaties existing between
the United States and
Spain, and not by the
orders of the Captain of
the Port, who is neither
interventor or regulator
of the commercial intercourse
between this Island and
the United States. And
that they must pursue
the same course as es-
hitherto observed in es-
dispatching their steamers,
so long as the Custom
House authorities do
not refuse it. Further
should any dependant
authority intercept the
departure of an American
ship, after it has been
duly authorized thereto
by the Custom House, to
inform this Consulate
immediately of such act,

for

for its action.

I regret that I am unable to send you on this occasion copies of these letters of Messrs Henry B. Hamel & Co and Mc Kellar Suling & Co, because they are for the moment in the possession of the Governor General who yesterday particularly requested me to leave them with him to assist him in the examination and consideration of the subject.

I am, Sir,

very respectfully,

Your Obedient Servant

R. C. Williams

Vice Consul General

Inclosures -

Six - as above stated.

Inclosure N° 1
With Dispatch N° 1178
Havana, August 12th 1882.
Translation.

Captaincy of the Port
of Havana.

The Captain of the Spanish Ship "Concepcion", which is being dispatched today for a port in the United States, informs me that, that Consulate General has refused to authenticate the Bill of Health issued to him by the Health Officers of this Port, as prescribed by the Regulations; and to which the attention of the several Consuls has been called in the accompanying number of the Official Gazette of Havana, which please return to me, stating whether the information I have received is true or, as I am inclined

to

to believe, there has been some misunderstanding in regard to the matter.

× × × ×

Havana, July 4th 1882.

Alejandro Arias Salgado.

To the Vice Consul General
of the United States
in this Island.

Copy

Cofsy.

Capitania del Puerto
de la Habana.

El Capitan de la Fra-
-gata Española "Concepcion"
que se despacha hoy para
un puerto de los Estados
Unidos, me manifiesta
que en ese Consulado General
se le ha negado el certificar
la patente que se le espide
por la Sanidad de este Puerto,
segun está prevenido en el
Reglamento y recordado á
los Sres Cónsules en la adjunta
Gaceta Oficial de la Habana
que acompaño y ruego á VS.
me devuelva, manifestandome
si es cierto lo que me espuso
ó hay alguna equivocada
inteligencia segun me inclino
á creer.

Dios gue á VS muchos

Habana, 4 de Julio de 1882.

(signed)

(signed) Alejandro Arias
Salgado.

Señor Vice Cónsul General
de los Estados Unidos
en esta Isla.

Inclosure No 2
With Dispatch No 1178
Havana, August 12th 1882.
Translation.

Consulate General of the United
States of America - at Havana.

In reply to Y. E's polite communication, of yesterday's date, I have the honor to state, that in effect, I have refused to authenticate the Bill of Health of the Spanish Ship "Concepcion", issued by the Health Officers of this port, basing my action in the matter upon the Law enacted by my Government entitled:

"An Act to prevent
"the introduction of contagious
"or infectious diseases into the
"United States" - and the Rules
and Regulations prepared

by the National Board of Health in pursuance thereof.

Approved by the President June 26th 1879.

For the information of Your Excellency, I accompany herewith a copy of the Law referred to, along with the Gazette you have had the goodness to send me.

× × × ×

Habana, July 5th 1882.

R. O. Williams.
Vice Consul General

To His Excellency.
The Commandant of Marine,
Captain of this Port.

Copy

Copy.

Consulado General de los
Estados Unidos de América.
Habana.

En contestacion a la atenta comunicacion de V.E, fecha de ayer, tengo el honor de decirle que en efecto me he negado á certificar la patente de la fragata Española "Concepcion", espedi=
=da por la Sanidad de este Puerto, fundandome para ello en la Ley del Gobierno de mi nacion titulada.

'An Act to prevent the introduction of contagious or infectious diseases into the United States.' and the Rules and Regulations prepared by the National Board of Health, in pursuance thereof.

Approved by the President, June 26th 1879.

Para.

Para inteligencia de V.E. acompaño un ejemplar de la citada Ley, con la Gaceta que ha tenido á bien remitirme.

Dios guarde á V.Em.a

Habana, Julio 5 de 1882

R. C. Williams.

Vice Cónsul General.

Exmo Señor Comandante de Marina y Capitan de este Puerto.

&c &c &c

Inclosure No 3
With Dispatch No 1178
Habana, August 12th 1882
Translation.

General Government
of the Island of Cuba.
Office of the Secretary
Bureau of Administration
of Beneficence.

In order to decide a question referred to this Government by the Superior Board of Health, His Excellency the Governor General has determined to request you, as I have now the honor of doing, to please furnish him with a copy of the resolutions adopted by the Government of the United States, regarding the sanitary formalities to be observed by vessels leaving the ports of this

Island, bound to ports in the Union.

× × × ×

Havana, July 16th 1882.

M. Diaz de la Quintana

To the Vice Consul General of the United States of America.

Cafoff

Copy.

Gobierno General de
la Isla de Cuba.
Secretaria.
Seccion Admon.
Beneficencia.

Para resolver una consulta elevada á este Gobierno por la Junta Superior de Sanidad; el Exmo Señor Gobernador General, ha acordado se interese de VS., como tengo el honor de verificarlo, se sirva remitir un ejemplar de las disposiciones dictadas por el Gobierno de los Estados Unidos, respecto de las formalidades sanitarias que deben cumplir los buques que de los puertos de esta Isla se dirijan á los de la Union.

× × × × ×

Habana, Julio 16 de 1882.
M Díaz de la Quintana

Señor Vice Cónsul General
de los Estados Unidos de
América.

Inclosure Nº 4.
With Dispatch Nº 1178.
Habana, August 12th 1882.
Translation.

Consulate General of the
United States of America.
Habana.

Complying with the request of His Excellency the Governor General, as stated in your polite communication of 16th instant and received this date, I have the pleasure to enclose herewith a copy of the Law of my Government entitled:

"An Act to prevent "the introduction of contagious "or infectious diseases into the "United States." approved by the President June 2d 1879, accompanying the Regulations, which to the end of its observance have been adopted by the -

National Board of Health
of the United States:

× × ×

Havana, July 20th 1882.

R. O. Williams.
Vice Consul General.

To the Honorable
The Secretary of the General
Government of this Island.

Copy.

~~Copy.~~

Consulado General de los
Estados Unidos de America
Habana.

Cumpliendo con lo
pedido por el Excmo Señor
Gobernador General, en
la atenta comunicacion
de V.S., de fecha 16 del
corriente y recibida hoy
tengo el gusto de incluirle
un ejemplar de la ley de
mi Gobierno titulada.—
"Ley contra la introduccion
"en los Estados Unidos de
"enfermedades contagiosas
"é infecciosas," aprobada por
el Presidente en 2 de Junio
de 1879, estando acompañada
del reglamento que á su fin
ha adoptado La Junta
Nacional de Sanidad de los
Estados Unidos.

× × × ×

Habana, Julio 20 de 1882.

(signed) R. O. Williams-
Vice Consul General.

Illmo Señor Secretario
del Gobierno General de
esta Isla.

&c &c &c

Inclosure Nº 5
With Dispatch Nº 1178
Havana, August 12th 1882.
Translation.

Desputation of Health
of the Port of Havana.

I have the honor to acknowledge receipt of your communication of the 5th instant, in reference to the Bill of Health of the Spanish Ship "Concepcion".

With said communication I received the pamphlet to which you refer as a Law of the Government of your nation: and as no official advice of the same exists in the records of the Sanitary Desputation of this Port, in reference to said pamphlet; and the Circulars of the Superior Board of Health of this Island, published

in the Gazette of 30th of August 1879, which I sent you, is dated nearly three months after the date of the pamphlet referred to, you will understand that the Depulation can concede it no value whatever, and that of all the foregoing, the Superior Board of Health has been informed for such action as it may deem convenient in reference thereto.

× × × × ×

Habana, July 7th 1882.
Alejandro Arias Salgado

To the Vice Consul General of the United States at Habana.

Copy

Copy.

Diputacion de Sanidad.
del
Puerto de la Habana.
Presidencia.

Tengo el honor de acusar á V.S. recibo de su despacho del 5 del actual, referente á la Patente de la Fragata Española "Concepcion".

Con dicho despacho recibi el cuaderno á que V.S. alude como Ley del Gobierno de su nacion: y como ningun conocimiento oficial existe en esta Diputacion de Sanidad del Puerto sobre dicho cuaderno y la Circular de la Junta Superior de Sanidad de esta Isla espresada en la Gaceta de 30 de Agosto del 79 que remitió á V.S., es posterior en casi tres meses á la fecha

del aludido cuaderno; com=
=prenderá V.S. que ésta Co=
Dipsilacion no puede
concederle valor alguno y
que de todo se dá noticia
á la Junta Superior de
Sanidad para que deter=
=mine lo que estime conve=
=niente.

× × × ×

Habana, Julio 7 de 1882.
(Signed) Alejandro Arias Salgado.

Sōr Cónsul General de
los Estados Unidos.

Inclosure N°6.
With Dispatch N° 1178.
Havana, August 12th 1882.
Copy.

Consulate General of the United States of America, at Havana.

August 11th 1882.

To His Excellency,
The Governor General.
&c &c &c

Excellency:

I have the honor, seriously to call your attention to a most uncommon order issued by the Captain of this Port, and published for the first time in the "Diario de la Marina," of the 8th instant, informing the Captains of the merchant ships of all nations that no vessels will be dispatched (sic) that do not fulfil the sanitary requisites provided by articles

13th and 14th of the Regulations of the Port.

For the better explanation and understanding of this order, I now transcribe the said articles 13th and 14th which read as follows:

Article 13th.

"As soon as a vessel has finished "discharging, her Captain will "communicate the fact to the "Sanitary Deputation that "will have her inspected by "the Doctor to whom this "service corresponds."

Article 14th.

"No vessel is allowed to receive "cargo before having been "previously inspected, as ordered "in previous article and having "obtained from the Sanitary "Deputation a certificate in "which it is stated that she is "Salubrious and ready to load."

Permit me, Excellency,

to affirm that since the com=
=mencement of commercial
intercourse between Spain
and its dominions, and the
United States, under the treaty
of 1795, no such arbitrary =
order as this; so disturbing to
the methods of procedure
established by the practice and
exercise of reciprocal treaty
rights between the United States
and Spain has issued before
from a dependency of the
Government of this Island

No American vessel,
after having been admitted
to free-pratique, and placed
in communication with the
Customs authorities of this
Island, and having discharged
its cargo in pursuance of
their permission has at any
time before been compelled to
come again under the authority
of the Local Board of Health,

and to depend upon its certificate or "papeleta" before the Collectors of the Customs might be allowed to grant it permission to load its homeward cargo, as this order of the Captain of the Port, pretends to enforce in future. No instance is on record showing that the local Board of Health or the Captain of the Port with respect to American vessels loading in the ports of this Island, have hitherto interposed themselves between these vessels and the authority of the Collectors of Customs in granting them permission to receive outward cargoes, after having been allowed to discharge their inward cargoes. Never, before have the Collectors of Customs of the Island had to await and subordinate themselves

to

to the decision of the Local Health Officer or Captain of the Port before granting to American vessels license to open their registers at the Custom House for a homeward cargo. Neither, have American masters before been compelled to obtain permission from the Local Health Officer or Captain of the Port as a prior condition to their right to take in homeward cargoes. The usage has always been to this end for the consignees of American vessels to address themselves directly and solely to the Collector of Customs of this port without the intervention or even the pretense of intervention by the Health Officer or Captain of the Port; because after a vessel has once been declared in free-pratique.

this right is never forfeited or withdrawn.

Reduced to its essence, this order claims that the Collector of Customs of the Port of Havana, can no longer grant to American vessels, as has been the uninterrupted custom here for nearly a century, the right to load outward cargo without the consent of the Local Board of Health, expressed through the Captain of the Port: this is a complete inversion of the order hitherto observed in relation to this matter.

This Consulate is at a loss to understand this sudden and unprecedented intervention of the Health authorities and Captain of the Port in the trade carried on between the United States

and

and Cuba in vessels which have been granted free - pratique into the ports of the Island.

Among all nations, Sanitary interference begins with vessels from abroad on their <u>arrival</u> and not when they are about to <u>depart</u> or on their <u>departure</u>. All American vessels on arriving at this port, are first visited by the Health Officer - who examines the sanitary con= =ditions of the vessel, cargo, officers, crews and passengers; and if these conditions are not found good the vessels are ordered to quarantine, where they remain until in the opinion of the Health Officer, all danger shall have passed of their communicating disease to the inhabitants of the City. But if their

sanitary conditions are found good, then they are at once granted free-pratique and placed under the control of the Customs authorities, who grant them permission to discharge cargo and upon the completion of which the same Custom House authorities also grant a like permission to load; and upon the finishing of this operation they are then dispatched at the Custom House for their ports of destination, without the interference of the Health authorities.

Believing that the Captain of the Port has issued this order without Your Excellency's knowledge and consent, this Consulate General limits the present representation to mere

remonstrance

remonstrance, convinced that after the examination of the said order Your Excellency will ordain that the procedure hitherto observed of dispatching American vessels in this port be left unchanged.

I beg further to inform Your Excellency that by the first steamer to the United States I shall forward a copy of this communication to the Honorable the Secretary of State of the United States at Washington.

I have the honor to be,
With the greatest respect,
Y.E.'s most Obedient Servant.
(signed) R.O. Williams
Vice Consul General.

DEPARTMENT OF ST
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No 1179 U.S. Consulate General.
Havana, August 14th 1882.

Mr Williams, to the
Department of State.

Commercial Agency of San Juan
de los Remedios.

Acknowledging the receipt of
instruction No 667, of 4th instant,
relating to the appointment
of Mr José G. Fuentes to be Vice
Commercial Agent of the United
States at Caibarien, San Juan
de los Remedios. The temporary
recognition of Mr Fuentes has
been applied for.

No 1179 U.S. Consulate General
Havana, August 14th 1882.

Hon John Davis
Assistant Secretary of State.
Washington.

Sir:

I have to acknowledge the receipt of your instruction No 667, of 4th instant, in reference to the appointment of Mr José G. Fuentes, to be Vice Commercial Agent of the United States, at Caibarien, San Juan de los Remedios, and to report having, under date of 12th instant, applied to the Governor General for the usual temporary authorization, to enable Mr Fuentes to discharge his official duties, pending the reception of his formal recognition by the Government of Spain.

I have the honor to be, Sir,
very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General.

DEPARTMENT OF STATE
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Ans 3
Aug 28/82

No. 1180. U. S. Consulate General
Havana, August 15th 1882.

Mr Williams,
to the Department of State.

Forcible boarding and searching
of the American schooner
"Dauntless" of Key West Fla;
at this port by eight armed
and uniformed policemen.

Two inclosures.

No 1180. U.S. Consulate General.
Havana, August 15th 1882.

Hon. John Davis.
Assistant Secretary of State.
Washington.

Sir:

I forward herewith for the information and action of the Department, the statement dated the 12th inst:, made and sworn to before me, in the presence of witnesses, of Manuel Diaz, captain of the American schooner "Dauntless", of 37 tons, belonging to Key West, Florida, which vessel was forcibly boarded in this harbour on the night of the 11th instant, by eight armed and uniformed men, who with threatening, insulting and abusive language towards Captain, officer and crew. proceeded to make a

thorough search of the vessel, retiring therefrom at eleven o'clock at night.

I accompany herewith the sworn statement of Captain Diaz with copy of the communication I addressed the Governor General under yesterday's date, calling his attention to this strange proceeding, and which I delivered to him in person.

1/2

Immediately on reading my communication the Governor General said, that he had given an order for the arrest of a Spanish sailor expected from Key West, which he supposed would have been executed on the wharf or on shore. He further stated that he would reply to my note explaining the matter.

Should any answer ever be received to my communication, I will forward a copy to the

Department.

Department, meanwhile awaiting its instructions.

I have the honor to be, Sir,
very respectfully.
Your Obedient Servant
R. O. Williams
Vice Consul General.

Inclosures.
No. 1. - Statement of Manuel Diaz
Master of the American Schooner
"Dauntless" of Key West Fla.
dated August 12th 1882.
" 2. Mr Williams to the Governor
General - August 14th 1882.

Inclosure N°1.
With Dispatch N°1180.
Havana, August 15th 1882.

As master of the Amer-
-ican Schooner and fishing
smack "Dauntless," I have
to inform you that I arrived
in my said vessel, at this
port, on the 11th day of the
present month, at eleven
o'clock A.M.; whereupon I
entered my said vessel at
the Custom House in conform-
-ity with the laws, without
any trouble whatever. At
night I went ashore, where
I remained until 9 P.M;
at which hour I returned
on board, without having
had
any trouble on shore, and
found eight persons on board
my said schooner, all of whom
were unknown to me: they
stated they belonged to the-

police, and one of them inquired whether I was the Captain; to which I replied that I was: whereupon, he stated he desired to search the vessel; I told him to proceed to the search, which they commenced to perform and during its prosecution they also searched my baggage and that of the crew, as also a part of the chattels of the vessel, all of which they treated very roughly, when it became necessary for me to admonish them not to treat these effects in that manner as they were very valuable; to which they replied, that if I did not hold my tongue they would tie me up - and afterwards they set to writing at which they continued and remained

on

on board until 11 o'clock, P.M.
when they left the schooner.

After they had retired
I questioned the crew, as to
what had occurred on board;
they replied that nothing
whatever had occurred, except,
that these persons has come
on board and asked for the
Captain and that they had
stated that he was on shore.

They then ordered the
crew not to move from the
places where they were, and
so insisted on it, that one of
the men being thirsty and
who was about going forward,
where the only water was
to be had aboard, was stopped
and threatened with being
tied up if he moved from
his place:

I am ignorant of
the cause of such bad treatment
and report the above facts

to

to you, in order to ascertain what right these people have to come forcibly on board my vessel and ill-treat the crew of same, now under my command.

× × × ×

Port of Havana August 12th 1882.

Manuel Diaz.

To the Vice Consul General of the United States of America at Havana

Consulate General of the United States of America. Havana

Sworn to and subscribed before me, and in the presence of the subscribing witnesses, the day and date aforesaid.

(signed) R.O. Williams.

L.S.

Vice Consul General.

Witnesses-

(signed) Jos. A. Springer

U.S. Consular Clerk

" L.V. Schmidt.

Copy.

Copy.—

Señor Cónsul de los Estados Unidos de América en la Habana.

Como capitan del Vivero Americano "Dauntless", pongo en conocimiento de V.S. el haber entrado en este puerto el dia once del presente mes á las once de su mañana y habiendo hecho la entrada como marcan las leyes de Aduanas sin ninguna novedad, al anochecer me fuí á tierra y me estuve hasta las nueve de la noche hora en que he vuelto abordo del bugue de mi mando y sin haber tenido ninguna novedad, encontrandome con ocho hombres desconocidos abordo los cuales me dijeron ser de policia y uno de ellos me preguntó si yo era el

Capitan de abordo á lo que
contesté que si á la cual me
dijo quería registrar el
bugue; yo le dije que lo regis
=taran, lo cual principiaron
á practicar, y estando en
esta operacion de reconoci=
=miento principiaron por
registrar el equipaje mio y
el de la tripulacion y
parte de los enseres del bugue
y como estos los trataban mal,
tuve por conveniente el decirles,
que no los trataran así que
eso costaba el dinero-: á lo
que me contestaron que
si no me callaba me
amarrarian y despues
de todo esto se pusieron
á escribir y se estuvieron
hasta las once de la noche,
hora en que se retiraron
de abordo.

Despues de esto
hice las preguntas á la

tripulacion, que habia ocurrido
abordo; á lo que me contestaron
que no habia ocurrido cosa
alguna, solamente esos Sres
que llegaron abordo y
preguntaron por el Capitan
á lo que contestaron que estaba
en tierra.

A esta respuesta
mandaron á los tripulantes
que ninguno se moviera
del puesto en donde estaba,
al estremo que uno de estos
se le ofreció el ir á tomar
agua y como el barril
estaba á proa y ellos
estaban á popa, se lo
prohibieron amenazandolo
que si se movia de su
puesto lo amarrabam á lo
cual ignoro la causa de
tanto atropello.

Lo que pongo
en conocimiento de usted
para saber con que derecho

se me allana y atropella
á la tripulacion y bigne
de mi mando.

Dios Guarde á V.S. M.y A.s

Bahia de la Habana Agosto 12 de 1882.

Manuel Diaz.

Consulate General of the United
States of America, at Havana.

Sworn to and
subscribed before me, and
in the presence of the
subscribing witnesses, the
day and date aforesaid

(signed) R. O Williams
Vice Consul General.

Witnesses
(signed) Jos a. Springer.
U.S. Consular Clerk
L.T. Schmidt.

Inclosure No 2.
With Dispatch No 1180.
Havana. August 15th 1882.
Copy.

Consulate General of the United States of America. Havana.
August 14th 1882.

To His Excellency,
The Governor General.
&c &c. &c.

Excellency:

As the representative of my Government in this Capital, I am compelled to call the immediate attention of Y.E. to the hitherto unheard of occurrence in this port, such as the forcible boarding of the American schooner "Dauntless", by eight armed and uniformed men in the early hours of the night of the eleventh

instant, who with threatening, insulting, and abusive language towards the Captain, officers and men, proceeded to thoroughly search said schooner; in which operation they remained on board till eleven o'clock of that night.

In view of this strange proceeding, and with the purpose of communicating the same to my Government, I have respectfully to ask Your Excellency, to inform this Consulate, the reasons for this forcible invasion and search of the American schooner "Dauntless", whilst under the protection of Spanish jurisdiction.

I have the honor to be,
with great respect
Y. E's

I Remain Your Obedient Servant

(Signed) R. O. Williams.

Vice Consul General.

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DEPARTMENT OF STATE
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Ackd Aug 28

No 1181 U.S. Consulate General,
Havana, August 15th 1882.

Hon John Davis,
Assistant Secretary of State
Washington.

Sir:

At the earnest request of the highly respectable Bankers of this City, Messrs J.M. Borges & Co, I now enclose a sealed package containing four gold certificates of deposit of the following description:

B. 3050. dated Jany. 2 1877 for $5,000.-
B. 3312. " do " do " " 5,000.-
B. 3334. " do " do " " 5,000.-
B. 5149. " Jany 7th 1878. " " 5,000.-
twenty thousand dollars $20,000.-,

which, owing to the inefficiency of the postal means for transmitting such packages through the Havana post office, these gentlemen have

requested this Consulate to do them the favor to send this package through the pouch addressed to the State Department, asking the latter to have the goodness to forward it, as addressed, to Messrs Eugene Kelly & Co, of New York City, through the registered mail, for which purpose twenty five cents are enclosed to cover postage.

I am, Sir,

Very respectfully

Your Obedient Servant

K. O. Williams

Vice Consul General.

Inclosure -

Package above stated.

Enclosure forwarded by registered mail Aug. 29 - 82

WASHINGTON, D. C.

UG 22 1882

Receipt of State Dept. our letter addressed to Mess. Eugene Kelly & Co., N. Y. City

R. M. Collins

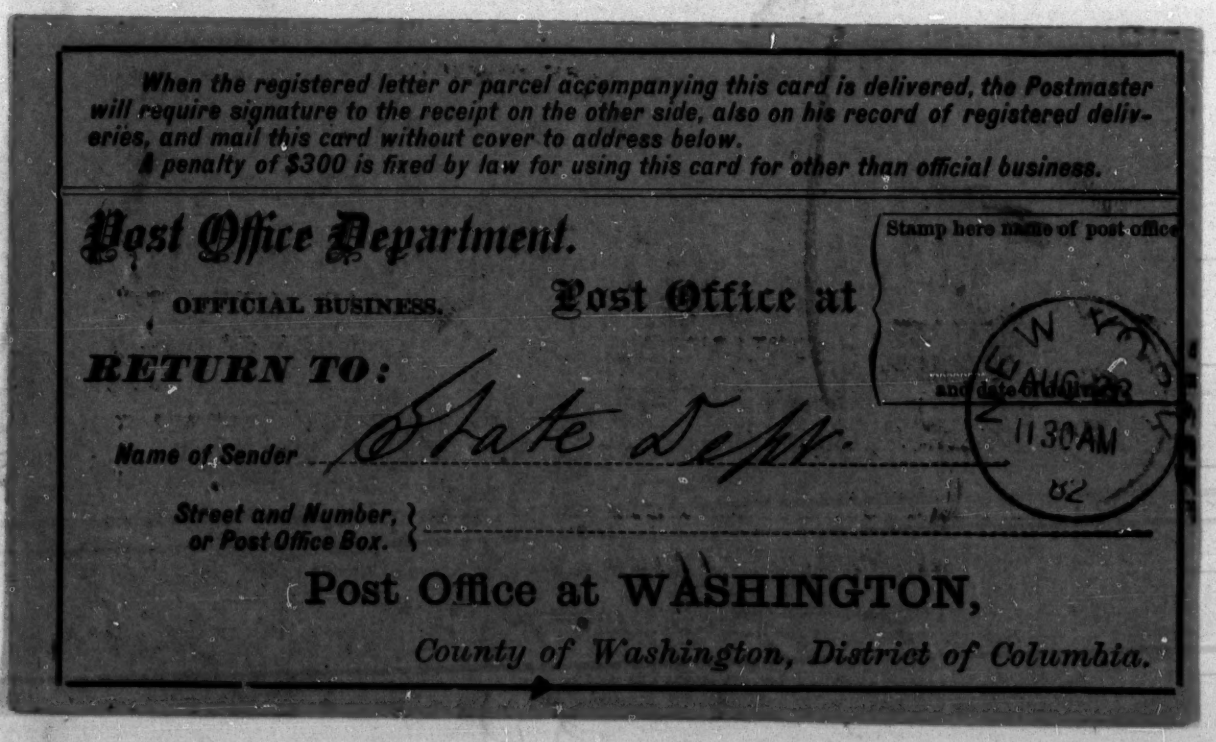
for Pres

No 1181. U.S. Consulate General
Havana, August 15th 1882.

Mr Williams, to the
Department of State.

Forwarding a sealed package containing four gold certif=icates of deposit - for $20.000. addressed to Messrs Eugene Kelly & Co, of New York City.

Package enclosed



AUG 22 '82

REGISTRY RETURN RECEIPT sent ....., 188 .

Reg. No. 27686 From Post Office at WASHINGTON, D. C.

*Reg. Letter / Reg. Parcel } Addressed to Eugene Kelly & Co

Post Office at N. Y. 40842

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED { *LETTER. / PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

Eugene Kelly & Co.

per Robert G. Lang

*Erase letter or parcel according to which is sent.

Aug 28/82 His remarks &c approved. Aug 28/82 is respectfully submitted

DEPARTMENT OF STATE
AUG
21
1882
RECEIVED

No 1182. U.S. Consulate General

Havana, August 15th 1882.

Mr Williams, to the

Department of State.

Local Health Regulations of the Port of Havana, and order of the Captain of this Port, interfering with the dispatch of vessels in the manner that has heretofore been customary

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No 1182. U.S. Consulate General
Havana, August 15th 1882.

Hon John Davis.
Assistant Secretary of State.
Washington.

Sir:

Referring to, and in amplification of my dispatch No 1178, dated the 12th instant, I have now the honor to inform you that as yet, I have not received an answer from the Governor General to my remonstrance dated the 11th of same, against the order issued by the Captain of the Port, ordering all vessels to fumigate before leaving this port. This may be due to the fact that the Secretary of the General Government, Don Mariano Diaz Quintana, is at present down with the yellow fever. I am sorry

to say, too, that the Marchioness, wife of the Governor General, is also attacked with the same disease, and this draws off his attention so much, that for the last several days he has not been able to give much of his time to public affairs.

Also, as far as I can learn from conversational reports, the measure proposed by the Captain of the Port, to oblige all vessels after discharging their inward cargoes, to fumigate before receiving their outward cargoes, has been issued on no other ground, whatever, than that of pure retaliation against the law of the United States, of the 3d of March 1879, referred to in Consular Regulations of 1881, paragraph 355, on page 114, compelling Consular Officers of the United States only to issue Bills of Health in accordance

with

with form N° 36, in the appendix of same, page 529. By the operation of this instruction, Consular Officers of the United States, cannot accept the Bill of Health issued by the Havana Local Board of Health as satisfactory to the purpose of the said instruction. By this action on the part of the Consulate General, in solely accepting the information furnished by Doctor Burgess, the Medical Officer detailed to it by the National Board of Health of Washington, the prerquisites of the Havana Board of Health, are thereby in a measure cut off; hence the retaliation.

On the ground of necessity or utility, there is no reason in the least for this order of the Captain of the Port.

If vessels after-

discharging their cargoes
from Europe or the West
Indies at the North or East
River docks or Brooklyn side
of New York harbor, and after
due sanitary inspection. ~~~
complete intercourse shall have been
granted by the Health author-
-ities, to vessels, crews and cargoes,
and after some of the latter
shall have already entered into
the consumption of the
inhabitants of the United
States; were the health author
-ities then, and upon the pretext
that the preservation of
the health of the people of
New York city or Brooklyn
required that these vessels
should not receive on board
grain, provisions or other
articles of domestic production,
before starting for Liverpool,
Antwerp or to the ports of
the Mediterranean or the

West Indies - then the case would be similar to the one now under discussion. In all probability a measure of this sort would bring forth a remonstrance from the respective Consuls representing those ports in New York.

It would also seem reasonable that if retaliation against the United States is intended here; then it is the Governor General of the Island who should promulgate this order, and not the Captain of the Port of Havana.

I am, Sir,

Very respectfully,

Your Obedient Servant

R. O. Williams

Vice Consul General

Aug. 15/82

Show to Mr. Davis.

Blank No. 3.

No. 468 Corr

CABLE MESSAGE. W. Hm

THE WESTERN UNION TELEGRAPH COMPANY.

33 Habana Govt

Check. August 17th.

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

A. R. BREWER, Secretary. NORVIN GREEN, President.

To Honorable John Davis
Acting Secretary of State
Washington

Received at 445 pm Aug 17 1882

Governor General referred telephone Concession to Madrid for decision more than a month ago Meantime will leave it here in Statu quo

Williams

Rec'd Aug 17 5.15 P.M.

DEPARTMENT OF STATE
AUG
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ack'd Aug 27/82

No. 1183. U.S. Consulate General
Havana, August 18th 1882.

Mr Williams, to the
Department of State.

Acknowledging receipt of the Department's instruction No. 668, of 7th instant, enclosing a protest filed by Mr Pablo Battle, against the sale of his embargoed property in this City.

No. 1183 - U. S. Consulate General
Havana, August 18th 1882.

Hon John Davis -
Assistant Secretary of State.
Washington.

Sir:

I have the honor to acknowledge receipt of your instruction No. 668, dated the 7th instant, enclosing a protest filed by Mr Pablo Battle, against the sale of his embargoed property in this City.

I note, also, that the Department is preparing specific instructions upon this subject, to be sent to this office at a later date.

I am, Sir,

very respectfully,

Your Obedient Servant.

R. O. Williams

Vice Consul General.

Cons

DEPARTMENT OF STATE
AUG 24 1882
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Ack'd Aug 28/82 Ack'd Copies

Lett. to Consuls

No 1184. U.S. Consulate General.
Havana, August 18th 1882.

Mr Williams, to the
Department of State.

Estate of the late Ramon Fernandez Criado y Gomez

Acknowledging receipt of the Department's instruction no 669 of 8th August 1882, in reference to the subject above mentioned.

No 1184. U.S. Consulate General-
Havana, August 18th 1882.

Hon John Davis,
Acting Secretary of State-
Washington.

Sir:

In acknowledging receipt of your instruction No. 669, dated the 8th instant, relating to the estate of Ramon Fernandez Criado y Gomez, cautioning me that in the joint or sole control over the estates of American citizens dying abroad, by Consular Officers of the United States, that the law of the place must govern unless otherwise provided for by treaty; I have the honor to say, that it has been my intention and endeavour from the beginning to guide myself by this principle. From the start I refused to precede

the local authority. It was this that originated the complaint against me made to the Department, by the so-called friends of Criado, to which the Department called my attention in its cablegram dated 8th June, ultimo.

The temporary charge of Criado's estate was received by this office from the Judge of the Court of First Instance of the Cathedral District of this City, who by official communication, dated the 16th. June last, remitted to this office the protocol originated to that date with the five keys of Criado's desks and armoires of which he had taken charge in the night of the 5th of June, date of the death of Criado.

This transfer to the Consulate was not asked for by me; but emanated from the

Court

Court, which based its action on articles 44th and 45th of the law of Spain, adopted July 4th 1870- at San Ildefonso, entitled "Ley de Estranjeria, or "Law relative to foreigners residing in the Spanish Colonies," which read as follows:

-Article 44-

"In the event of foreigners dying intestate, the judicial authority of the town where the death has occurred, together with the nearest consul of the nation to which the deceased belonged, or with such person as the Consul may appoint for that purpose, shall take an inventory of his goods and effects, and likewise take the necessary steps to guard said goods and place them at the disposal of the heirs.

"If the foreigner be domiciled and die away from his domicile

"the judge of the place of his said domicile, to whom notice shall be given by the like officer of the place where the death occurred, will act as prescribed in the preceding paragraph with regard to such of the goods and effects of the deceased as may be found there.

In the event of there residing no consul in the place where the death occurred, nor in the place of domicile the judicial authority will take no steps further than the necessary measures for guarding the goods and effects until the consul or his representative shall appear."

-Article 45-

Both in the case of foreign intestates and in inheritances arising from wills of foreigners, Spanish tribunals can only take cognizance of the claims

and

and suits to which the fore=
=going Articles refer."

But, Briado in fact did not die intestate, for he left a will; this, however, having been abstracted from the desk or armoire in which he placed it; for the moment, and in consequence of its non-present=ation to date, gives the case the character of temporary and probable intestacy.

I understand from the brothers that they will soon take steps to obtain a judicial appointment encharg=ing some one to administer the estate of Briado. In the meantime this Consulate will have to remain as a temporary and passive depositor of these interests.

It is to be hoped that they may soon come to an understanding on the subject;

for

for it takes up much more time of the Consulate than is compatible with its public duties. There are two similar cases in point, of wealthy Americans who died here within the last two years, viz: that of Mr John Nemminger, a native of Baltimore Md and of Mr James C. Burnham, a native of Newburyport, Mass:, in neither of which cases has this Consulate had to interfere, both of whom died testate, the same as Criado died, but their cases were not complicated by any attempt at fraud as is quite manifest in the latter, and which was only frustrated by my refusal to accede to the demand of the parties who afterwards complained against me.

I am, Sir, very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General.

Copy to Treasury Aug 29 1882

Treasy for infmtn & ack Aug 28/82

RECEIVED DEPARTMENT OF STATE AUG 24 1882

No 1185. U.S. Consulate General
Havana, August 19th 1882.

Mr Williams, to the
Department of State.

Acknowledging receipt of the Department's Circular of July 31st 1882 - accompanying copy of a letter from the Hon: the Secretary of the Treasury, dated 24th July ultimo, respecting the transmission of descriptive lists of invoices, to Collectors of Customs in the United States.

No 1185 U.S. Consulate General
Havana, Augt 19th 1882

Hon John Davis.
Acting Secretary of State.
Washington.

Sir:

I have the honor to acknowledge the receipt of the Department's circular dated July 31st 1882, in which my attention is invited to the accompanying copy of a letter from the Secretary of the Treasury respecting descriptive lists of invoices and which further directs strict compliance in future with the Regulations upon the subject.

I ascertain that for a number of years past, this regulation has been practically disregarded in this Consulate General,

it having been understood, as stated in the Secretary's letter - that the transmission of such descriptive lists of invoices was not required except in cases mentioned in paragraph 666 of the Regulations; and also, on account of the press of work in this Circulate and want of time necessary to prepare a list, it being required, in this office especially, to authenticate from twenty to fifty invoices, many of which are in quadruplicate form, within a few hours, on the sailing day of the New York steamers, it often occurring that invoices are presented for authentication, after the usual office hours and while the steamer is waiting.

This

This practice, followed by shippers in this port, of presenting their invoices within a few hours of the departure of the vessel by which the goods are shipped, necessarily allows the Consular officer, but little time out of his multifarious duties to examine minutely each invoice, and scarcely time to his clerks to properly prepare, dispatch, put up and enter the invoices, although on account of the exigency of the sailing hour of the steamer, giving this work the preference to other calls for consular services.

I have ordered a number of the necessary forms to be printed and shall hereafter endeavor to have strict compliance

observed with the requirements
of the circular referred to
in regard to the transmission
of descriptive lists.

I have the honor to be, Sir,
Very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General

DEPARTMENT OF ST
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Aug 28/82

No 1186 U.S. Consulate General
Havana, August 19th 1882.

Wm Williams, to the
Department of State.

Acknowledging receipt of instructions numbers 670 and 671, respectively dated the 11th instant.

No 1186. U S Consulate General
Havana, August 19th 1882.

Hon John Davis,
Acting Secretary of State.
Washington.

Sir:

I have the honor to acknowledge the receipt of your instructions nos 676 and 671, both dated the 11th instant, neither of which require further answer.

I am, Sir,
Very respectfully,
Your Obedient Servant.
R. O. Williams
Vice Consul General.

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No 1184. U. S. Consulate General

Havana, August 19th 1882

Mr Williams, to the

Department of State.

Transmitting a sealed package containing $15,000.-, United States Bonds with the request that it be forwarded to Messrs P. Harmony's Nephews & Co of New York City.

Inclosures

Package & 75 cents

REGISTRY RETURN RECEIPT sent AUG 25 '82, 188 .

Reg. No. 28529 From Post Office at WASHINGTON, D. C.

*Reg. Letter / Reg. Parcel } Addressed to P. Harmonys Nephews & Co

Post Office at New York City

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED { *LETTER. / PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

52432 P. Harmony's Nephews

per [illegible]

*Erase letter or parcel according to which is sent.

WASHINGTON, D. C.
AUG 25 1882

Recd of State Dept. ours letter addressed to Mess. P. Harmonys Nephews & Co, NY City

Mr Chilton

R. W. Lowrie
for Pres

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

A penalty of $300 is fixed by law for using this card for other than official business.

Post Office Department.

OFFICIAL BUSINESS.

Post Office at

Stamp here name of post office

AUG 26
2 30 PM

deliv

RETURN TO:

Name of Sender State Department

Street and Number, or Post Office Box.

Post Office at WASHINGTON,

County of Washington, District of Columbia.

No 1187. U.S. Consulate General

Havana, August 19th 1882

Hon John Davis,

Acting Secretary of State.

Washington.

Sir:

At the request of Mr. Fernando Pedroso, of this City I beg to enclose a sealed package, containing United States Bonds for $15,000. addressed to Messrs P. Harmony's Nephews & Co. of New York City, which I will thank you to forward through the registered mail, for which purpose seventy five cents are enclosed to cover postage.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant

R.O. Williams

Vice Consul General

Enclosures - as above. O.K.

DEPARTMENT OF ST
AUG
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Took action approving
grant of Govt land
& permission

Ackd
Aug 27/82

No. 1188.— U.S. Consulate General
Havana, August 19th 1882.

Mr Williams, to the
Department of State.

Acknowledging receipt of
the Department's cable-
=gram of 16th instant, regard-
=ing the concession for
telephone to the "Compañia
Electrica de Cuba.

No. 1188. U.S. Consulate General

Havana, August 19th 1882

Hon John Davis.

Acting Secretary of State.

Washington.

Sir:

I have the honor to acknowledge the receipt of your cablegram, of the 16th instant, instructing me to request the Capstain General to delay promulgating any order vacating the concession for telephone to "Compañia Electrica de Cuba", or take steps against them until reconsideration and hearing in Madrid, to which Capital a similar request had been preferred.

On its receipt the 16th instant, I repaired to the Governor's Palace to present the request; but found that he had not come nor would he come to the city that day. I, therefore, sent him immediately, at his country residence in Marianao a communication, with verbatim transcription of your cablegram

respectfully asking his assent thereto.

This communication he received that same evening.

Yesterday, a few minutes after he reached the City, I had an interview with him; the result of which I cabled to you as per inclosure.

After telling me that he had referred the matter to Madrid for decision, and that in the meantime he would take no further steps regarding it, he requested me to tell you "privadamente", privately, that since remitting the case to Madrid, he had done nothing here with reference to it, to justify any complaint, and supposed that the Department's attention had been called to it through the ill founded representations of Mr Butler, the Company's agent here, — who by the way is a British subject, and not an American citizen.

The Governor General wished me particularly to express to the

Department

Department his desire
to promote American
interests here, as long as
they conform to the local
laws.

I am, Sir,

Very respectfully,
Your Obedient Servant.

R. O. Williams
Vice Consul General.

Inclosure

Inclosure N°1
With Dispatch No. 1188
Harana August 19th 1882.
Copy.

Harana, August 14th 1882.

Honorable John Davis.
Acting Secretary of State.
Washington.

Governor General referred telephone con=
=cession to Madrid for decision, more than a month ago. Meantime will leave it here in statu quo.

(signed) Williams.

bors

Wms action affirm

Add 8 Aug 28/82

DEPARTMENT OF ST
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No 1189. U.S. Consulate General
Havana, August 19th 1882.

Mr Williams, to the
Department of State.

Case of the boarding and searching of the American schooner "Dauntless", at this port, reported to the Department August 15th 1882.

No 1189. U.S. Consulate General
Havana, August 19th 1882.

Hon John Davis.
Acting Secretary of State,
Washington.

Sir:

Referring to my dispatch No 1180, of 15th instant, I have to report that in my interview with the Governor General, on the 17th instant, before mentioned under this date, he made particular allusion to the affair of the searching of the schooner 'Dauntless' to explain; that it was not caused, as he had supposed, by his said order for the arrest of a Spanish sailor; but was done in consequence of an order given for the finding of the instruments of a gang of counterfeiters

circulating between the United States, Cuba and South America, and that it was supposed by the officers who effected the search, that permission had been granted to enter the vessel. He added, that no want of respect to the American flag was ever intended, and hoped that none would be inferred from the act; as especially as all nations were jointly interested in putting a stop to counter-feiting. He further said that he would send a written statement of the affair to this office. I replied that upon previous notice or application, this Consulate would always be ready to cooperate with the authorities in the arrest of counterfeiters and the

extirpation

extirpation of their practices. Therefore, to prevent misunderstanding between the two Governments some previous notice should always be given to this office in cases of this kind. To this pro=
=position the Governor General immediately assented.

I have the honor to be, Sir,

Very respectfully,

Your Obedient Servant

R. C. Williams

Vice Consul General.

DEPARTMENT OF STATE
AUG 28 1882
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No. 1190. U. S. Consulate General.
Havana, August 21st, 1882.

Mr Williams, to the
Department of State.

Requesting the insertion of words omitted, in dispatch No. 1184, of August 18th 1882, on page 5th, line 21st; between the words "temporary" and "depositor".

No. 1190. U.S. Consulate General.
Havana, August 21st 1882

Hon John Davis.
Acting Secretary of State.
Washington.

Sir:

I have respectfully to request that, in my dispatch No. 1184, of the 18th instant, to the Department, the words "and passive" may be inserted, between the words "temporary" and "depositor" - on page 5, line 21 and the sentence be thus made to read:

"In the mean
"time this Consulate will have
"to remain as a temporary
"and passive depositor of
these interests."

I am, Sir, very respectfully
Your Obedient Servant
R. O. Williams
Vice Consul General.

DEPARTMENT OF STATE
AUG
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No 1191 U.S. Consulate General

Habana, Augt 23d 1882.

Mr Williams, to the

Department of State.

Inspection and fumigation of vessels, by the Local Board of Health at Habana, before taking in their outward cargoes.

Four inclosures.

Aug 28 1882. Sept 6.

It is hoped that the very reasonable regulations asked for may be given and vessels of this nation may not be subjected to the delays and expenses and annoyances which unnecessary forms of appear to be done and in a perfunctory manner

No 1191. U.S. Consulate General.
Habana, August 28 1882

Hon John Davis,
Acting Secretary of State.
Washington.

Sir:

Respectfully calling your attention to my dispatches No. 1178 of the 12th instant, and No 1182, dated the 15th of same relative to the order of the Captain of the Port, refusing to dispatch vessels unless upon discharging their inward cargoes, their masters apply to the local health officer for inspection and fumigation of vessel and permit to receive cargo; I now, have the honor to enclose for the information of the Depart=ment copy of a communication, marked No 1. that I addressed to the Governor General on the

18th inst: in consequence of the moment=
=ary refusal to allow the American Bark
"Regina Volk" to leave this harbor on
the 18th: after she had been duly cleared
for New York by the Collector of the
Custom House. I, also, en=
accompany copy of a note in
reference to the whole matter, from
the Governor General, dated the
21st instant and received yesterday
at this office, the same being number=
=ed 2; and from which you will
please observe that His Excellency has
consented to a temporary suspens=
=ion of the order I complained of,
so far, as it related to foreign
vessels. I likewise, enclose
herewith, copies of the letters referred
to in my said No: 1178 of Messrs,
Henry B. Hamel & Co: and of Messrs
McKellar Suling & Co:, relative to the
same subject, and respectively marked
Nos 3 and 4.

I am, Sir, very respectfully
Your Obedient Servant.

R. O. Williams
~~Vice Consul~~ General.

Inclosure nº 1
With Dispatch nº 1191
Havana, August 25th 1882.
Copy.

Consulate General of the United States of America.

Havana, August 18th 1882

To His Excellency,
the Governor General.
&c &c &c

Excellency:

Notwithstanding your verbal assurance, reaffirmed by you in the conversation I had the honor to have with you yesterday upon the subject, that American vessels duly cleared at the Custom House, would not have their departure from this port intercepted by the local health officer; nevertheless,

the

the Morro Pass, "Paso del Morro"; has been refused to the American bark "Regina Folk, after clearing this day for New York; but was later on allowed to proceed upon her voyage. Excellency; Here is a case of an American vessel, that entered this port on the 29th of July from New York: was visited by the local health officers, who finding her sanitary conditions good, granted her free-pratique, and in consequence, she was permitted by the Collector of Customs to discharge her inward, and load her outward cargo; yet, on August the 18th, or say 20 days after having entered this port, and of having been admitted to free-pratique, and when on the point of departure

for

for a port in the United States, and in the presence of the Collector's clearance, she is delayed because the master could not show the health officer's permit to take in cargo. This case cannot find its parallel in any other port of the commercial world. I am aware, that the mere statement of this fact is all that is necessary to impress on the clear intelligence of Your Excellency, the inconsistency, irregularity and injustice of this proceeding.

But, as there is quite a number of American vessels loading at present in this harbor, which will be clearing at the Custom House every day for ports in the United States, I

must, in view of the urgency of the subject, request most respectfully, that Your Excellency, instruct the local health officer, not to again stop the departure from this port of American vessels duly dispatched by the Collector of this Port.

I have the honor to be,
with great respect.
Y.E.'s Obedient Servant.
(Signed) R. O. Williams.
Vice Consul General.

Inclosure Nº 2
With Dispatch Nº 1191
Havana, August 23d 1882. —
Translation.

The Secretary of the
General Government

Private.

Ramon O. Williams Esqre
Present.

My dear Sir:

The Governor General has instructed me to inform you that it will not be possible to decide definitely in the matter, as to whether or no, the enforcement of the Rules 3d, 4th and 5th of the Circular, of this Government General, of 10th March 1883, is to be continued against foreign vessels, the precepts of which

are

are identical to those contained in Articles 13 and 14 of the Sanitary Regulations of this port, until the Superior Board of Health shall give its report, upon the subject, which has urgently been requested of it; but, that in the meantime, being desirous of avoiding annoyances to foreign interests, without any absolute necessity, he has ordered that the Rules aforesaid shall not be observed in regard to foreign vessels, without it being understood that this suspension is to affect in any manner whatever, the final and definite resolution that may be adopted.

I have the pleasure to communicate the same to you and improve this opportunity to tender my services as, Your Obedient Servant

Francisco Fontanells

21st August 1882.

Copy.

El Secretario del
Gobierno General
Particular

S.r D.n Ramon O. Williams

Muy Señor mio, de toda mi consideracion: El Señor General me encarga diga á V.d que no será posible resolver de un momento definitivo si deben ó no continuar aplicandose á los buques estrangeros las Reglas 3.a, 4.a y 5.a de la Circular de este Gobierno General de 10 de Marzo de 1880, cuyos preceptos son idénticos á los articulos 13 y 14 del Reglamento Sanitario de este puerto, hasta que la Junta Superior de Sanidad emita el informe que sobre el particular se le ha pedido con urgencia y

pero, que entretanto y deseoso de no causar á los intereses Estrangeros perjuicios sin absoluta necesidad, ha dispuesto que las citadas reglas no se observen respecto de buques estrangeros, sin que se entienda que esta suspension prejuzga en lo mas mínimo la resolu=cion que en definitiva haya de adoptarse.

Tengo el gusto de participarlo á V. y de aprovechar esta ocasion para ofrecerme como atento Sd. QBSM.

Francisco Fontanells

21 Agosto de 1882.

Inclosure No 3
With Dispatch No 1191
Havana, August 23d 1882.
Copy.

Havana, Augt 10th 1882.

R. O. Williams, Esqre.
Vice Consul General
of the United States.
Present.

Sirs:

Having seen in the "Diario de la Marina" a notice to Captains, of which I herewith enclose a slip in regard to fumigating vessels. The American schooner 'Lucy A. Davis', Captain Stephen Collins, being loaded and ready for sea, and fearing that at the last moment the vessel would be detained, I with her Captain, Collins,

called

called on the Doctor who told us that the vessel would have to be fumigated and gave us a formula to go to a drug-store and get a package of stuff that cost $4.25 gold; we also paid $2.00 for interpreters fees.

We consider this a very arbitrary measure, and beg to call your attention to these facts and beg you to take steps in the matter to prevent detention as in a few days we will clear the American bark "Daring" and would not like to have her detained.

Very respectfully
E. B. O'Hamel
of the firm of
Henry B Hamel & Co

Inclosure No 4 -
With Dispatch No 1191 -
Havana August 23d 1882.
Copy.

Havana, August 10th 1882.

Ramon O. Williams
U.S. Vice Consul General
Havana

Dear Sir:

We beg to call your attention to the fact that we were verbally notified yesterday afternoon by the Captain of the Port that he will not in future allow the dispatch of any vessel, unless she has been visited by the officers of the Board of Health, after her discharge has been effected, and before the operation of taking in cargo has commenced, and referring

us

us to the "Articulos 13 y 14 del Reglamento de Puerto" adding further that unless we comply with this measure, which we think an arbitrary one, he will compel us to discharge the ship at our cost and risk, we would therefore beg to ask for your valuable opinion as to what course we had better adopt in the premises.

We remain, Dear Sir,

Yours very truly

(signed) McKellar, Sulonigalle

DEPARTMENT OF STATE
AUG 28 1882
RECEIVED

Ack 8
Aug 28/82 ack

No 1192. U.S. Consulate General
Havana, Augt 23 1882.

Mr Williams, to the
Department of State.

Fumigation of American vessels at the port of Matanzas, in this Island by the local Health Officer.

Transmitting a copy of a letter from Mr David Vickers, dated Matanzas, Aug 18th - and copy of reply thereto dated 21st instant in reference to the above subject.

Two indosures.

No 1192 U.S. Consulate General
Havana Augt 23 1882.

Hon: John Davis-
Acting Secretary of State
Washington

Sir:

Referring to the subject matter of my dispatches, Nos 1178 and 1182, respectively dated the 12th and 15th inst: and of No 1191, of this date, I now beg to enclose for your information copy of a letter dated at Matanzas the 18th instant, received from David Vickers Esq, U.S. Consul at that port, com=plaining of the collection by the local heath officer of $10.- Bank Bills, from every American vessel leaving there. This inclos=ure, and that of my reply are respectively numbered

1/2

1 and 2.

I shall forward to Mr. Pickers, a copy of the Governor General's communication, upon this subject, referred to in my Nº 1191, of this date, to the Department as a guide for his action in the matter.

I have the honor to be, Sir,

very respectfully,

Your Obedient Servant.

R. V. Williams

Vice Consul General.

N/

Inclosure No 1
With Dispatch No 1192
Havana, August 23d 1882.
Copy.

Consulate of the United States.
Matanzas, August 18th 1882.

R. O. Williams. Esqre,
Vice Consul General of the U.S.
Habana.

Sir:

I desire to especially and formally call your official attention to the continued abuse. and burden put upon Amer=
=ican vessels, arriving in this port, by the Health officer in his exhorbitant charges of $10. B/B for fumigation - a duty which he never personally performs and which I am constrained to assert is only an excuse to mulch vessels out of money and aid in the support of

an

an officer of the Spanish Govern-
=ment.

In order to appreciate to
what an extent this has been
carried on and how materially
our shipping has contributed
to the maintainance of the
Health officer of this port, I
need only to refer to the fact
that according to the Ships'
Journal, this officer has
received over $1600.— sixteen
hundred dollars from American
vessels alone since the 1st day
of January 1882. Adding this
to the inevitable burdens our
shipping interests labor under
in various ways - both from
the merchants and Spanish
Customs officials, it seems to
me that this additional one
ought in some way to be
removed or lessened.

In this complaint
I do not wish to deny to the

Spanish

Spanish authorities their
acknowledged right to prescribe
rules and regulations govern=
=ing the sanitary management
of their ports, but I very much
question their right, or power,
to make such rules and
regulations whose only effect
is to embarrass and molest and
circumscribe free commercial
intercourse; and in view of
our treaty with Spain, in
which she agrees, mutually
with us, not to do anything
which will in any way
embarrass, but on the contrary
shall "favor their mutual
commerce; I very much
question whether or not
they have the right to make
such exhorbitant charges, or
to collect them, by a refusal
to open the offending ship's
register until the sum is
paid.

Animated, therefore, by these views I am most decidedly of the opinion that the charges - and the manner exercised, or resorted to, to collect them when made, is exercised in a spirit contrary to that which inspired the two Governments in their Treaty of Amity &c. of Febuary 22d 1819. —

Besides, as I have previously asserted, there is no effort or pretence of effort made to fumigate ships. The only energy or visible attempt displayed to perform their duty in the premises, consists entirely in the irregularity with which the Health officer chaws the money exacted from the ships for the so-called fumi-gation. Usually the fumigation is conducted much after this manner. a bottle of some disinfecting compound

is

is left at a convenient ship-
-chandler's where the master
gets it and uses it or not
according to his time and
the respect he may entertain
as to its efficacy. As the
compound is not of sufficient
quantity or force to disinfect
a cigar box the master
throws it overboard and
trust to Providence.

That the Captain General
can or will sustain or allow
such a farce to be carried
on, if the matter is properly
explained to him, I do not
believe I therefore place the
case before you hoping you
will apply, or cause to be
applied some remedy.

I am, Sir,

very respectfully-

Your Obedient Servant-

(Signed) David Vickers.

Inclosure N° 2 -
With Dispatch N° 1192
Havana, August 23 1882 -
Copy.

Official
and private. U.S. Consulate General
Havana, August 21st 1882.

David Vickers Esquire -
U.S. Consul -
Matanzas.

Sir:

In reply to your letter of the 18th inst: formally and officially calling the attention of this Consulate General to the abuse practiced in that port, on the part of the local health officer in collecting $10. B/3 for fumi-gation of American vessels, I have to say that I am now in communication with the Governor General in reference

to

to this subject; the local health officer of this port having lately promulgated an order to enforce the same practice on vessels leaving here. As soon as the question is solved here, I will inform you of the result.

The decision of the Governor General in regard to the case in Havana, will then apply to Matanzas.

I am, Sir, very respectfully
(signed) R. O. Williams

DEPARTMENT OF STATE
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Rec'd Aug 28/82

No 1193. U.S Consulate General
Havana, August 23 1882.

Wm Williams, to the
Department of State.

Boarding and searching of the American schooner "Dauntless" at this port by the police.

Transmitting copy and translation of a communication from the Secretary of the General Government of this Island, dated August 21st 1882.

One inclosure

No 1193 — U.S. Consulate General
Habana, Augt 23d 1882.

Hon John Davis —
Acting Secretary of State.
Washington.

Sir:

With direct reference to my dispatches nos 1180 and 1189, respectively dated the 15th and 19th instant, about the forcible boarding and searching of the American schooner "Dauntless" of Key West, Florida, in this harbor on the night of the 11th instant, I now have the honor to enclose for your information, a copy and translation of the communication dated the 21st instant that by order of the Governor General, the Secretary of the General Government has addressed

to this office, in explanation of this affair, and which I respectfully submit, in the hope that the Department may give me instructions, that may serve for a guide, should any similar case occur in future.

I am, Sir,

Very respectfully,

Your Obedient Servant

R. C. Williams

Vice Consul General.

Inclosure.

1- as above.

Inclosure No 1-
With Dispatch No 1193-
Havana, August 23d-1882.
Translation.

General Government of the
Island of Cuba.
Office of the Secretary
Political.

Information having been solicited of His Excellency, the Civil Governor of the Province, in reference to your complaint against certain agents of the Police, who on the 11th instant searched the American Schooner "Dauntless" he has replied as follows:

"Excellency:

"Respectfully "replying to the communication "of that Superior Center of the "14th instant, in which Y.E. "has been pleased to order that

information

"information be furnished in
"reference to the occurrence,
"on the night of the 11th instant
on board the American Schr
"Dauntless"; I have the honor
to state to Y.E. that by confid-
-ential information received
from different sources and
at about the time at which
this Government, through the
1st and 2nd Chiefs of Police,
received a notice that in the
aforesaid vessel were expected
to arrive here a number of
forged notes of the Spanish
Bank. I solicited of
His Excellency, the Capitain
of this Port the necessary
assistance in order to take
timely steps to avoid the
introduction of the said
counterfeit notes and for
the arrest of the parties
complicated, should they
be had; I, therefore,

ordered.

ordered that the aforesaid
Chiefs should immediately
proceed, in due observance
of all the formalities the
case required, to seach the
vessel aforesaid, which service
was performed without
obtaining any satisfactory
result; but, as Y.E. will
perceive by the elaborate
report, copy of which is
hereto annexed, in the
prosecution of the continued
investigations made in
view of the said confidential
advices received, upon a later
search made in the dwelling
of Don Rafael Nieva y
Camejo, a party interested
in this case, a number of
documents were captured,
of a seriously suspicious
character, which lead to the
inference that there really
existed criminal intentions,

for

"for which reason these docu-
"ments were in due haste
"remitted to the Judge of first
Instance of the Court of the
Monserrate District for
the purposes prescribed
by law. I have likewise
to state that the police
employed in this affair
limited their action to the
strict compliance of their
duty, as was to be expected.

"The foregoing is all
"I can report to H.E. in
reference to the matter."

All of which, by order
of His Excellency, the
Governor General, I —
transcribe to H.H. in reply
to your communication
of the 14th instant; having
to add, that in accordance
with the report, herein —
mentioned, the functionaries
who searched the vessel

in question, were the two Chiefs of Police of this Province, accompanied by the correspond=ing witnesses and two of the harbor police attached to the Captaincy of the Port, who carried out the search with the permission and in the presence of the master of said vessel as is stated in the act which for the purpose was drawn up.

× — × — ×

Havana, 21st August 1882.

Francisco Fontanells

To the Vice Consul General of the United States at this Capital.

Copy

Copy

Gobierno General de la
Isla de Cuba.
Secretaria
Politica.

Pedido informe al Exmo Señor Gobernador Civil de esta Provincia con referencia á la queja producida por D. S. contra los agentes de policia que practicaron el 11 del actual un registro en el pailebot americano "Dauntless," ha manifestado lo siguiente:

"Excmo Señor: En "respetuoso contestacion al "escrito de ese Superior Centro de 14 del actual, por el que V.E. se sirve disponer que se le informe acerca de lo ocurrido en la noche del 11 del presente á bordo de la goleta Americana "Dauntless", tengo el honor de manifestar á V.E. que

con

con noticias confidenciales
obtenidos por distintos
conductos, y casi al propio
tiempo que este Gobierno
por el 1º y 2º Jefes de
Policia, de que en el referido
buque debia llegar á esta
Isla una gran falsifi-
=cacion de billetes del Banco
Español, solicite del Exmo
Señor Capitan del Puerto
el oportuno auxilio para
adoptar con tiempo las
medidas conducentes á
impedir la realizacion del
hecho denunciado y capturas
á sus autores, caso de ser
cierto; y dispuse que desde
luego y por los Jefes —
aludidos se procediese con
las formalidades del caso á
registrar la mencionada
embarcacion, lo que asi se
verificó, sin que se obtuviera
un resultado satisfactorio;

pues

"pues segun se dignará V.E.
"ver por el informe detallado
que en copia es adjunto,
continuandose las averigua
=ciones en vista de las confi=
=dencias obtenidas, se consiguió,
al practicarse un registro
en la morada de D.n
Rafael Riera y Camejo,
relacionado en este asunto,
la ocupacion de papeles
sumamente sospechosos
que hacen suponer la
existencia de propósitos
criminales, por lo que fueron
remitidos con la brevedad
debida al Sor Juez de
Primera Instancia de
Monserrate para los efectos
consiguientes con arreglo
á la ley; debiendo, por mi
parte manifestar á V.E.;
que la policia se limitó en
este asunto al estricto cumpli
=miento de su deber, como era

de

"de esperarse. Lo espuesto
"es cuanto consta y puedo
"informar á V.E. respecto
al particular."

Lo que de órden
del Exmo Señor Goberna
=dor General traslado á
VE en contestacion á su
comunicacion de 14 del
corriente; debiendo agregar,
que, segun el informe
que se menciona, los
funcionarios que se
constituyeron á bordo de
dicho bugue lo fueron los
dos Jefes de Policia de la
Provincia, con los testigos
de asistencia correspon=
=dientes y dos cabos de mar
de la Capitania del Puerto,
los cuales procedieron
al registro con anuencia
y presencia del patron
del referido bugue, como
consta del acta que al

efecto se formuló.
Dios gue á V. m.l. a.
Habana 21. Agosto de 1882.
E. C.
Francisco Fontanells

Señor Vice Consul General
de los Estados Unidos en
esta Capital.

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DEPARTMENT OF STATE
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Leaving to Secy of War. Sept 4/82
Acc. Sept 6/82
War Dept

No. 1194. U. S. Consulate General.
Havana, August 24th 1882.

Mr Williams, to the
Department of State.

Signal Service of the United States, at Havana.

Acknowledging receipt of the Department's instruction No 666, of 29th July 1882, accompanying copy of a letter from the Hon: the Secretary of War, dated 27th of same, with two printed accompaniments, in reference to the above subject.

No. 1194. U. S. Consulate General.

Havana, August 24th 1882.

Hon: John Davis.

Assistant Secretary of State.

Washington.

Sir:

Acknowledging receipt of your instruction No. 666, of July 29th, ultimo, I have the honor to state that, after due and diligent search, I have not been able to find a suitable person, whom I can name to the War Department, to act as observer for the United States Signal Service, in this city, at the compensation assign=ed, of fifty dollars per month.

I have the honor to be, Sir,

Very respectfully,

Your Obedient Servant

R. O. Williams

Vice Consul General.

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No 1195. U.S. Consulate General

Havana, August 25th 1882.

Mr Williams, to the

Department of State.

Acknowledging receipt of the Department's instruction No 672, of 17th August 1882, in reference to the telephone concession, by the Government of Cuba, to the "Compañia Eléctrica de Cuba."

1195. U.S. Consulate General
Havana, Augt 25th 1882

Hon John Davis.
Acting Secretary of State.
Washington.

Sir:

Referring to my dispatch
Nº 1188, dated the 19th instant,
in relation to the telephone
concession to the "Compañia
Eléctrica de Cuba", I now have
the honor to acknowledge
receipt of your instruction
Nº 642, dated the 14th instant,
appertaining to the same
subject, and accompanied by
the several enclosures therein
mentioned.

On the same day
of its receipt, the 22nd instant,
having had to call on the
Governor General in connexion
with other Consular business,
I availed myself of the

occasion to call his attention again to this subject. I thought the best way of impressing the views of the Department upon the mind of the Governor General, was to let him read the copy of your instruction of the 16th instant addressed to Mr. Hamlin, our Minister to Madrid. After reading it attentively, he replied in pure English, "that is all right," adding, further, that the subject would be left by him untouched as requested by you, while it is under consideration at Madrid.

I have the honor to be, Sir,
Very respectfully,
Your Obedient Servant
R. O. Williams
Vice Consul General

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Ackd. Sept 6/82

No 1196. U.S. Consulate General
Havana, August 29th 1882.

Mr Williams, to the
Department of State.

Commercial Agency of the
United States at Sagua la
Grande, in this Island.

Acknowledging receipt of
the Department's instruction
No. 673 of 23d instant in
reference to the appointment
of Mr José J. Martinez
Mesa, as Vice Commercial
Agent of the United States at
the port above named.

No 1196. U.S. Consulate General

Havana, August 29th 1882.

Hon John Davis.

Acting Secretary of State.

Washington.

Sir:

I have the honor to acknowledge the receipt of your instruction No 673, of 23d instant, advising me of the appointment of Mr. José J. Martinez Mesa, as Vice Commercial Agent of the United States, at the port of Sagua la Grande, in this Island, and further instructing me to make application to the local officers of Cuba for his recognition, pending the receipt of his Royal exequatur, which has been duly complied with, in a communication, by me addressed under this date, to H.E. the Governor General of this Island.

I am, Sir, very respectfully,

Your Obedient Servant.

R.O. Williams

Vice Consul General.

aug. 31/82